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(Hansard)**

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des débats  
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**Tuesday 3 December 2013**

**Mardi 3 décembre 2013**

Speaker  
Honourable Dave Levac

Président  
L'honorable Dave Levac

Clerk  
Deborah Deller

Greffière  
Deborah Deller

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

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ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Mardi 3 décembre 2013

*The House met at 0900.*

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

*Prayers.*

ORDERS OF THE DAY

MODERNIZING REGULATION  
OF THE LEGAL PROFESSION ACT, 2013  
LOI DE 2013 SUR LA MODERNISATION  
DE LA RÉGLEMENTATION  
DE LA PROFESSION JURIDIQUE

Mr. Gerretsen moved second reading of the following bill:

Bill 111, An Act to amend the Law Society Act and the Solicitors Act / Projet de loi 111, Loi modifiant la Loi sur le Barreau et la Loi sur les procureurs.

**The Speaker (Hon. Dave Levac):** Debate.

**Hon. John Gerretsen:** Speaker, I'm very pleased to rise in the House this morning for the second reading of the proposed Modernizing Regulation of the Legal Profession Act. The bill reflects the law society's commitment to supporting the public interest by ensuring that the people of Ontario are served by lawyers and paralegals who meet the highest standards of professional conduct.

I want to thank Tom Conway, the treasurer of the law society, and its governing body, which is known as Convocation, for outstanding leadership that continues to enhance the reputation of more than 44,000 lawyers in Ontario and almost 5,500 paralegals in this province.

Let me just remind my honourable colleagues here of the five proposed changes that Bill 111 would implement. First of all, it would establish a tribunal which would oversee the law society's current hearing and appeals panels, and provide for the appointment of a full-time non-bencher lawyer chair.

Secondly, it would authorize the law society to suspend a lawyer or paralegal's licence for failure to pay legal costs related to a discipline hearing in those cases where legal costs have been ordered against the individual involved.

Third, it would clarify that the law society can receive solicitor-client privileged information from any person, such as a client, and introduce such information in proceedings while protecting that privilege.

Next, it would increase the number of paralegal members of the law society's governing body from two to five, to provide for a fair representation of paralegals.

Finally, it would align legislation with the current practice by providing that paralegals may charge for providing legal services.

We as a government can take great pride in the changes that we've made to help promote a dynamic and innovative paralegal profession. Speaker, you may recall, that when the Access to Justice Act came into force in 2007, one of the most significant achievements was to make Ontario the first jurisdiction in North America to prescribe the regulation of paralegals. In our province, back in 2007, this important task was carried out by the Law Society of Upper Canada—the law society of Ontario, as such. Now we stand at the point where the paralegal profession is more mature and is deserving of greater recognition within the legal community and the province as a whole.

One of the changes would increase the number of paralegal directors on the board of directors, commonly known as Convocation—and they would be known as paralegal benchers of the law society's governing body—from two to five. Now, as I'm sure that all the members of the House, and certainly the two critics in the other two parties, are aware, it is important that this bill be dealt with promptly so that the number of paralegals can be increased at Convocation in March 2014. Elections of both the paralegal directors and of the lawyers as benchers only happens every four years, and that happens to be early next year. So in order to have more benchers in place for the next term, we need to move forward with this amendment as soon as possible and be finalized before the end of this year.

Now, two other amendments contained in Bill 111 would impact on paralegals. One is a proposal to authorize the law society to suspend the licence of a lawyer or paralegal through a simple administrative process for failure to pay legal costs that have been awarded against them as related to a discipline proceeding.

*Interjections.*

**Hon. John Gerretsen:** You know, it's very interesting, Speaker, how the members opposite are so talkative this morning. I hope that they will fully support this bill, because it's for the betterment of the people of Ontario, so that they get the best possible legal service. I'm sure that they will do that; I'm absolutely convinced of that.

One is a proposal to authorize the law society to suspend the licence of a paralegal or a lawyer through a simple administrative process for failure to pay legal costs related to a discipline proceeding—I think I've already stated that. The law society currently allows for a suspension of a licence when the licensee has failed to

comply with such a cost order. However, the process involves an application to the law society's hearing panel, which increases case load and results in time delays. Basically what we're saying is that if costs are awarded against an individual, then the order can be made immediately. That's a change we want to make in the bill.

The other amendment that would affect paralegals is a simple housekeeping change that would bring the legislation in line with current practice. This change would amend the Solicitors Act to set out that paralegals can charge for providing legal services. Currently, even though they're providing those services and they're obviously getting paid for them, the Solicitors Act, technically speaking, prevents that from happening.

These amendments are important in order to support our government's economic plan to continue building a dynamic and innovative business climate with which I'm sure we all agree.

We also need to support the law society to ensure that they can continue to provide effective regulation for all of the professionals under its jurisdictions. It's interesting, Speaker, that back in 2007, when the paralegals were first licensed and brought under the Law Society of Upper Canada, there were about 2,200 in the province of Ontario. That has increased to over 5,000 currently licensed paralegals who provide a tremendously good service in many of the administrative tribunals and many of the other functions in which their scope of practice allows them to operate.

Over the past 30 years, in Canadian common law the concept of solicitor-client privilege has grown and is now considered a quasi-judicial right. Generally, privilege may be seen as coming into force when communications from a client to a professional legal advisor are made in confidence. These communications cannot be disclosed unless the client gives up the right to that privilege. However, the concept has grown to include, for example, information offered in closed hearings. The current legislation says that the law society can use information received from a lawyer or paralegal in a hearing and that such information remains protected. But the law, as it currently stands, is silent about information received from others, such as clients, and this information may be vital in conducting investigations and proceedings. The proposed amendment would allow for privileged information to be received from clients, and other people, and introduced in proceedings without loss of privilege.

**0910**

Finally, the establishment of a tribunal, a hearings tribunal: How the law society treats cases of potential misconduct is a matter of vital concern to the general public, as well as to its members and to all who have dealings with our legal system. Since 1999, the operational structure for the law society's hearing process has been divided into two parts: a hearing panel to adjudicate allegations of professional misconduct, and an appeal panel to hear appeals of the hearing panel's decisions or orders. This system met the needs of the day, but now the law society needs a more effective structure and to im-

prove quality assurance. By giving legislative authority for a new internal tribunal that would oversee the law society's current hearing and appeals panels, we can ensure that it's both independent and effective, with a full-time lawyer who's not a bencher as a chair.

Speaker, all of these changes are contained in Bill 111 and would help modernize the regulation of the legal profession in Ontario. Lawyers play an extremely important part in our legal system, and so do paralegals. They have been recognized in this province since 2007; the numbers of them have grown. The people of Ontario have benefited from that, and we want to modernize the system. That's what this bill is all about. At the end of the day, the result would be more efficient, effective, accountable and accessible services, both for the public and for the professionals regulated by the Law Society of Upper Canada.

I once again want to thank Tom Conway, the treasurer of the Law Society of Upper Canada, and its governing body, Convocation, for their exemplary leadership in helping to ensure that the fine reputation of Ontario's legal profession remains second to none. I also want to thank Cathy Corsetti and the law society's paralegal standing committee for helping our government invigorate Ontario's economy by continuing to promote the development of a dynamic paralegal profession.

I know, Speaker, that when all is said and done, all of the members of this House will support this legislation and make sure that it has quick passage so that it can be put into effect by the end of the year, and so that when elections take place early next year—which only happen every four years—the paralegals can be increased on Convocation from their current status of having two members as part of the bencher community to five.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Mr. John O'Toole:** I'm surprised this bill was brought up this morning. It's a very technical bill, and the way the Attorney General spoke this morning, he seems to be in a bit of a bind. This needs to be done, and the question was raised, just in the period of the debate, of why they haven't brought this forward earlier. They've talked about more complicated things like tanning parlors, smoking on balconies and things like that. I'm surprised. This is so important—to modernize our justice system and specifically working in co-operation with the newly developing careers of paralegals, along with the legal community, the lawyers, who pretty well have control of it—that why wouldn't he have brought this forward?

I would wonder, in his response to the two minutes, if there has been a paper developed by them that preceded Bill 111, maybe you could mention that. And what were the primary things outside of the modernization and the section dealing with the ability for paralegals to legally charge fees for providing a service? I understand that's kind of a housekeeping issue. But you mentioned the word "modernize." There are a couple more panels, I understand, if you look at the section. They're hearing

panels. They now have to appear before a tribunal before they go to the hearing panels. These are things that the lay people here need to understand. Is modernizing providing more bureaucracy? It sort of sounds like that. I know they're going to have to work on a panel.

The new benchers group are going to be mixed with paralegals, I gather, and I'm anxious to hear a bit more.

I'm surprised the Attorney General—I have great respect for him, I might say, as a lawyer; I always like to think of him as the former mayor of Kingston. But in this role, I would have thought that maybe, though, you would have told us a bit more, used the hour. You had a whole hour to educate us in the lay community that need to be bought into the modernization that you referred to.

Thank you very much for the opportunity.

**The Acting Speaker (Mr. Ted Arnott):** Questions or comments?

**Mr. Jagmeet Singh:** I'm happy to be able to join in the debate. I noticed earlier, and wanted to recognize, a number of people. Sheena Weir was in the public gallery. I wanted to recognize her for her great work and—oh, there she is. She has been doing a little bit of moving. I want to welcome Sheena to the House and thank her for her hard work on bringing this bill forward and assisting to make sure it gets passed in a timely manner. I also want to thank Tom Conway and all the benchers at Convocation for their great work.

The bill basically is just a step forward in terms of modernizing some of the practices that govern lawyers and paralegals in the province of Ontario. The law society now has a mandate to regulate paralegals, which brings paralegals into a regulated field. There are two areas. One is with respect to the way lawyers are sanctioned or the way lawyers are dealt with. One step forward is to ensure that for tribunals that hear any sort of complaints or the complaint process, having an independent and permanent chair would create a more efficient manner in which we deal with any complaints that come forward. I agree with the Attorney General in terms that it would strengthen both the way the law society deals with its own members, but also increase the public confidence in lawyers as well.

Similarly, given the fact that we have now included paralegals within the law society, there's also a recognition that to grow their profession and to increase, moving forward, the effectiveness of policies, incorporating paralegals and giving them a voice in terms of how the direction of the profession goes is also quite important.

I'll speak more about this when my time comes.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Hon. John Milloy:** I listened with interest to the Attorney General's comments and to those of the opposition who were speaking with questions and comments. I think it's very important, Mr. Speaker, that we recognize two things: first of all, the importance of this piece of legislation to the legal profession, the law society, but that we also recognize that these are technical, administrative changes. I'm going to find it very

hard, in the course of debate, to find anyone in this Legislature that would oppose them. They're well thought out, they're based upon a great deal of consultation and, as the Attorney General pointed out in his speech, they are time-sensitive.

There's a reason to respond to my colleague opposite as to why the Attorney General only spoke for 10 minutes. It's because there is some urgency to this piece of legislation. We do not see it as a partisan piece of legislation or one that's controversial. By speaking for only 10 minutes, he would allow other members to participate in this leadoff debate, and hopefully we can come to an agreement between the three parties to move this through quickly because, as I say, there's nothing controversial here; there's nothing partisan.

Unfortunately, over the past number of weeks we have seen a lot of game-playing, particularly on the part of the official opposition. The other night I was quite frankly appalled that a ceremony to give medals of bravery to our service personnel was delayed for 20 minutes because they called a meaningless motion to adjourn debate at 10 minutes to 6, meaning the whole item was delayed.

Mr. Speaker, we were sent here with a minority mandate. That, in fact, has been put through, has been reinforced through the recent by-election results. As a minority government and opposition in a minority situation, we have to work together at times to put politics beside us. A good piece of legislation like this: Move it through with proper debate but in a quick way, which is in the best interest of the legal profession.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Sylvia Jones:** A couple of things: I'm going to agree with you on a few items and then I'm going to vehemently disagree with you on a couple of items, government House leader, and I underline the word "government."

First of all, absolutely, Bill 111 is a non-partisan process bill that the law society needs to modernize and update their processes—great idea. However, this bill was introduced on October 1. We have not once, since October 1, had this bill before us to debate.

**0920**

For the benefit of the people who are listening to this debate, there is only one person in this chamber who decides what we debate. That is the government House leader. I'm sure he does it in consultation with his ministers. However, he does not do it in consultation with the PC and the NDP House leaders. It is not a debatable item. So the only time that we get to debate Bill 111, or anything else for that matter, is when the government House leader chooses to bring it forward.

I find it very frustrating that from October 1 until December 4 it sat on the docket and was not called a single time. We had many opportunities to debate lots of things. I would question your priorities about what you did bring forward for debate. However, the point is, the government House leader is who chooses and who decides what we debate in this chamber. Bill 111 is coming

forward today for the first time since its October 1 introduction, and I don't want to leave the impression that we in opposition are the ones who have been stalling this bill.

**The Acting Speaker (Mr. Ted Arnott):** The Attorney General has two minutes to respond.

**Hon. John Gerretsen:** First of all, I, too, want to welcome Sheena Weir, who is a friend to all of us here. I know she spent the last couple of days in my hometown of Kingston, taking courses at Queen's University, and I didn't realize she was going to be here today. She certainly feels very strongly about this bill and I know she has spoken to the critics and all three parties that this bill get passed as quickly as possible.

Speaker, we've already had an acknowledgement that this is a non-partisan bill, that this will be to the benefit of the people of Ontario, particularly those individuals who cannot afford a lawyer and are now requiring the services of a paralegal. At one time paralegals weren't that highly regarded in our society, but that all changed back in 2007 when a licensing regime came into place etc. It has worked well. The numbers have increased substantially, and we want to make sure that that is represented on the board of governors of the Law Society of Upper Canada by increasing that number from two to five, amongst the other changes that have been made here.

I am not going to get into a debate about whether or not you have the right to speak on a bill for as long as you want. I believe in democracy, and if you want to spend the next 25 hours for each and every member of the opposition to speak on this bill, for the length of time that you can, you can do that; you have a right to do that. But just remember, if you do that, you are basically doing it to the detriment of the people of Ontario, because they will not be able to benefit from the meaningful changes that everybody agrees on that are contained in this bill.

Let's put our partisan differences aside for a moment and let us truly do what is in the best interests of the people of Ontario, and that is to give this bill speedy passage. I know that former municipal people are here; they know how to do this stuff. Remember when you were on municipal council? A good idea came along and it was passed. Let's do the same thing here. Let's get this done.

**The Acting Speaker (Mr. Ted Arnott):** Further debate.

**Mrs. Julia Munro:** I appreciate the opportunity to respond. I would certainly want to begin with the indication by the Attorney General; he referred to a quick passage. As my colleague from Dufferin-Caledon has said, it's pretty hard to have quick passage when it takes two months from the time of the introduction of the bill to begin debate on it.

I want to say, first of all, that in responding to the government's bill to modernize regulation of the legal profession, Bill 111, I'm pleased to indicate that certainly we will support this bill, but I want to take some time to outline the reasons our caucus supports this bill. During

the opportunity that I have today, I want to make clear that I want to provide some background context. To illustrate my support for the bill, I will be incorporating multiple examples from various sources during my speech on such a technically necessary bill.

This bill, as I said, responds to and reflects the changes requested by the Law Society of Upper Canada. The law society regulates lawyers and paralegals in Ontario. Created by an act of the Legislative Assembly in 1797, the Law Society of Upper Canada governs Ontario's lawyers and paralegals in the public interest by ensuring that the people of Ontario are served by lawyers and paralegals who meet the high standards of learning, competence and professional conduct. The law society has a duty to protect the public interest; to maintain and advance the cause of justice and the rule of law; to facilitate access to justice for the people of Ontario; and to act in a timely, open and efficient manner.

The law society regulates, licences and disciplines Ontario's more than 46,000 lawyers and over 5,000 licensed paralegals pursuant to the Law Society Act and the law society's rules, regulations and guidelines. Like many professionals in Ontario, lawyers and paralegals in Ontario are self-governing. This means that lawyers and paralegals oversee their own regulation through the law society in accordance with the Law Society Act and regulations passed by the Ontario government.

The law society is funded through lawyer and paralegal licensing fees. To maintain the privilege of self-governance, the public interest must always be of paramount concern to the law society. The law society offers public services such as:

- the complaints service, which receives and responds to complaints about lawyers and paralegals;
- a comprehensive online directory with lawyer and paralegal contact information;
- the law society referral service, which provides you with the name of a lawyer or a paralegal who will provide free consultation of up to 30 minutes to help determine your rights and options;
- a directory of lawyers who are certified specialists in specific areas of law; and
- the compensation fund, which helps clients who have lost money because of the dishonesty of a lawyer or a paralegal.

To promote access to legal services, the law society supports programs such as Pro Bono Law Ontario, Ontario Justice Education Network and the Law Commission of Ontario. The law society's equity initiatives department seeks to ensure that law, the practice of law and the provision of legal services are reflective of all people in Ontario by actively participating with aboriginal, francophone and equity-seeking groups through consultations, meetings and public education activities.

The magnitude of the Law Society of Upper Canada's contribution to how Ontario and Canada were built is immeasurable. This is a broad overview of who is behind the creation of the law we are debating today. The society

requested the necessary legislation that resulted in Bill 111.

The Modernizing Regulation of the Legal Profession Act, Bill 111, focuses on five key changes. First, the bill proposes to strengthen the hearing and appeals process governing lawyers and paralegals in Ontario. This process addresses allegations of misconduct brought against lawyers and paralegals. Changes in this bill would establish a new internal tribunal that would oversee the law society's current hearing and appeals panels.

Second, this bill would also allow for a more cost-effective and timely process for recovering legal costs from lawyers and paralegals. It proposes to authorize the law society to suspend a professional's licence for failure to pay legal costs relating to a discipline proceeding that has been awarded against that professional.

#### 0930

Third, Bill 111 would clarify that the law society can receive information that is solicitor-client privileged from any person in a hearing, including a client. Solicitor-client privilege is a person's right to refuse to disclose communications made to or received from his or her legal adviser, such as a lawyer or paralegal. While the current legislation says that the law society can use information received from a lawyer or a paralegal in a hearing and that such information remains protected, it is silent about information received from others at such a hearing, such as, for example, the clients that may have been involved in that particular subject matter.

Fourth, this bill would increase the number of paralegals on the law society's governing body, Convocation, from two to five paralegals. This is obviously a good change.

And last, the fifth legislative proposal found in this bill would provide a housekeeping amendment to specify that paralegals may receive payment for representing an individual in a legal proceeding, which is the current practice, as you might imagine. I can't begin to understand why the government hasn't addressed this issue. The government has let this fester, because the paralegals have been requesting this for six years now.

A paralegal is a legal service provider regulated by the Law Society of Upper Canada who complies with the society's licensing requirements. Paralegals are legal professionals, much like lawyers, but with a smaller scope of practice. Paralegals are there for you because you don't always need a lawyer.

For many years, paralegals helped Ontarians with everyday legal problems: traffic offences, small claims, landlord and tenant matters. Though paralegals still provide most of the same service, today's paralegals are licensed and regulated to be legal.

So what do they do? They provide legal advice. They draft or help draft documents for use in a proceeding. They negotiate in a proceeding on another's behalf. They provide the services of a licensed commissioner.

To be licensed to practise, paralegals must complete an approved college degree, complete a field placement facilitated by their college, pass the law society examina-

tion for paralegals, be of good character, carry professional liability insurance and contribute to a compensation fund. Paralegals work in the Small Claims Court, the Ontario Court of Justice, the Landlord and Tenant Board, administrative tribunals and many matters in the Criminal Code.

Paralegals in Ontario began as a result of a legal process in 1985, and this was the judgment of the Ontario Court of Justice delivered in *Regina v. Lawrie*. The court ruled that a paralegal does not break the law by appearing on behalf of clients in provincial offences, and mainly traffic tickets. In 1986, a higher appeal court supported the decision, and in 1999 the Ontario Court of Appeal issued judgment in *Regina v. Romanowicz*. The court ruled that a paralegal can represent a client in criminal summary conviction matters, subject to some conditions.

In May 2000, the Honourable Peter Cory delivers a report to the Attorney General, setting out a framework for regulating paralegal practice in Ontario. The report contains recommendations on the scope of practice, a governance model for regulation and educational and other requirements. In 2007, the Law Society of Upper Canada becomes responsible for regulating the paralegal profession in Ontario by Bill 14, an amendment to the Access to Justice Act. In October 2007, anyone providing legal services in Ontario as a paralegal must be licensed, and in 2008, the first group of paralegals writes the first licensing examination.

So on May 1, 2007, the Law Society of Upper Canada became responsible for regulating the paralegal profession as a result of amendments to the Law Society Act.

The regulatory framework for the profession was successfully established by the 13-member paralegal standing committee, which is made up of five paralegals and eight members of the law society's governing board, known as Convocation. Five paralegals were elected to the committee in a province-wide election in March 2010. The committee initiated and instituted the Paralegal Rules of Conduct as well as a set of criteria and an application process for paralegals already in practice and for students already studying legal services. The law society issued the first paralegal licences in early 2007 to approved applicants who passed the licensing examination.

Anyone in Ontario providing legal services requires a licence unless the group or individual is not captured by the Law Society Act or is exempt by a law society bylaw. The Law Society Act enables the law society to make exemptions through bylaws.

Legislation passed by the government of Ontario, primarily the Law Society Act and regulations made under the act, authorize the law society to educate and license Ontario's paralegals and regulate their conduct. Law society bylaws and the Paralegal Rules of Conduct, both based in the Law Society Act, set out professional and ethical obligations. Paralegals failing to meet these obligations are subject to the society's complaints and discipline process. Anyone in Ontario providing legal services requires a licence, unless the group or individual is not

captured by the Law Society Act or is exempt by a law society bylaw. The Law Society Act enables the law society to make exemptions through bylaws. The law society will review exemption categories in two years, prior to May 2009.

Groups or individuals not captured by the Law Society Act and who do not require a licence are:

- a person who is acting in the normal course of carrying on a profession or occupation governed by another act of the Legislature or an act of Parliament that regulates specifically the activities of persons engaged in that profession or occupation;

- an employee or officer of a corporation who selects, drafts, completes or revises a document for the use of the corporation or to which the corporation is a party;

- an individual who is acting on his or her own behalf, whether in relation to a document, a proceeding, or otherwise;

- an employee or a volunteer representative of a trade union who is acting on behalf of the union or a member of the union in connection with a grievance, a labour negotiation, an arbitration proceeding or a proceeding before an administrative tribunal;

- a person or a member of a class of persons prescribed by the bylaws in the circumstances provided by the bylaws.

Groups or individuals who do not require a licence are:

- individuals employed by a single employer;

- persons who are not in the business of providing legal services and occasionally provide assistance to a friend or relative for no fee;

- articling students;

- employees of legal clinics funded by Legal Aid Ontario;

- employees of organizations similar to legal clinics that provide free services to low-income clients, provided they meet certain criteria as to their non-profit status and funding;

- aboriginal court workers;

- staff of the Office of the Worker Adviser;

- staff of the Office of the Employer Adviser;

- constituency assistants working in MPP offices;

- law students working in student legal aid services societies, provided they are supervised by a lawyer and covered by the lawyer's insurance;

- Injured Worker Outreach Services;

- Ontario Federation of Labour staff and consultants representing union members in workers' compensation matters under the Occupational Disability Response Team, including their work in representing families of deceased workers;

- trade union representatives acting on behalf of retired persons who were formerly members of the trade union and while providing services to another local of the same union;

- union representatives assisting families of deceased workers at coroners' inquests;

- members of the following listed voluntary standard-setting associations, subject to certain restrictions: the

Human Resources Professionals of Ontario, the Ontario Professional Planners Institute, the Board of Canadian Registered Safety Professionals and the Appraisal Institute of Canada.

#### 0940

Paralegals who provide legal services to the public must carry professional liability insurance. The minimum requirements are \$1 million per claim, and \$2 million in the aggregate. The coverage must specify the provision of legal services by a paralegal. Individual paralegals must be named as an "insured" on the policy. A minimum, non-optional 90-day extended reporting period is required. The law society should, for the purposes of reporting and cancellation, be added as an "additional insured." Cancellation notice of 60 days is required. And licensees must provide written proof of their compliance with this requirement to carry mandatory insurance before they begin providing legal services, as well as on an annual basis.

Unbelievably, paralegals are still somewhat controversial. The need for this bill is exemplified by the situations outlined in a recent legal profession publication asking the question, Are Paralegals Officers of the Court?

"The recent decision of Justice Fuerst in *R v. Lippa* has the controversy over the standing of paralegals raging again.... The decision relates to whether judicial officers have the discretion over which legal professionals will sit in the courtroom, and the order of cases which will be called.

"In deciding that paralegals can be treated differently within the court system, Justice Fuerst made some interesting comments. She states at para. 18,

"S. 29 of the Law Society Act provides that every person who is licensed to practise law in Ontario as a barrister and solicitor is an officer of every court of record in Ontario. Black's Law Dictionary, 8th ed., defines "officer of the court" as "A person who is charged with upholding the law and administering the judicial system." Licensed paralegals are not included in section 29.'

"The section in the act, which was last amended in 2006, states,

"29. Every person who is licensed to practise law in Ontario as a barrister and solicitor is an officer of every court....'

"Normally the *expressio unius maxim* would hold, as Justice Fuerst indicates, that the absence of paralegals from this section means they are not in fact officers of the court. But from at least April 2008, when paralegal licences were first issued in Ontario, paralegals have commonly referred to themselves as such.

"Paul Calarco describes the development of this concept in the 2007 paper presented at the LSUC, *NOT IN MY COURT YOU DON'T!* The Right of Audience and the Enforcement of Ethical Conduct,

"In England the origins of the defence bar have been lost in time. Prior to CE 1200 there is no indication of a professional body of people who acted as lawyers. However, under the expansion of the common law rules



in the era of Henry III and the legislation of Edward I, it became clear that people not skilled in the law could not hope to represent any other person.

“As well, as pointed out by Professor Ogilvie, procedure was becoming more technical. In the first part of the 13th century, a group of what we would now call barristers was developing. By the end of the 13th century, it appears that lawyers were well established as part of the King’s courts. They were regarded as officers of the court.”

“An officer of the court has a duty, as part of their profession, to promote justice and the effective operation of the justice system. However, barristers and solicitors are not the only officers of the court described in Canadian legislation.

“The Supreme Court Act refers to several court support staff as officers, all of whom are necessary for the proper functioning of the court. Although the registrar of the Supreme Court and deputy registrar are both described in s. 12 as ‘barristers or advocates,’ there are other officers, such as the sheriff of the county ... who clearly are not. The act enumerates in s. 24 a lengthy list of officers ... ‘All persons who may practise as barristers, advocates, counsel, attorneys, solicitors or proctors in the court are officers of the court.’

“But the Supreme Court is a statutory court. Calarco notes that determining the right of appearance are part of the discretionary powers of courts with inherent jurisdiction.

“Section 800 of the Criminal Code allows an accused to appear on summary conviction personally or by an agent, which can include friends, relatives or interpreters. The responsibility placed on these agents was described by Justice Wein in *R. v. Lemonides*, [1997] ... as follows:

“79. All agents should expect to be in a position to satisfy the court that the defendant has been advised of the agent’s status, and it should be clear on the record that the client waives their right to counsel and understands the significance of appearing without a lawyer. All agents should be aware that they will be expected by the court to act as officers of the court, that is in an ethical and competent manner.”

“In other words, when non-licensees act as agents they are also required to act as officers of the court (even if they may not actually be officers ... but note this is the context of being an unlicensed agent). To suggest that a licensee acting in the same capacity in Ontario is not also acting as an officer of the court simply does not follow.

“The *in pari materia* maxim of statutory interpretation, looking at other statutes in Canada, would suggest that an expansive definition is provided to officers of the court throughout our judicial system. The title denotes more of a responsibility to the court system than any proffered right, such as appearing before the bar. Interpretation and use of the term by courts also suggests a broad and liberal meaning.

“Justice Green of the Supreme Court of Newfoundland and Labrador referred to the Adult Corrections Act ... to indicate that probation officers had a right to strike,

but were obligated as officers of the court to continue to perform duties lawfully required of them....

“Justice Garson of the Supreme Court of British Columbia considered the admissibility of a court monitor’s report and the compellability of a monitor as an expert witness....

“As an officer of the court, the monitor has been found not to be compellable to give evidence in a proceeding, although the monitor reports to the court on a regular basis. The monitor’s reports have been found to be “not evidence” and hence not generally subject to cross-examination; rather, as an officer of the court, the monitor is to act “lawfully, fairly and honourably.” In Ontario, the court has held that insolvency officers will not generally be subject to cross-examination of their reports, while acknowledging that these court-appointed officers do occasionally make themselves available for examination in the spirit of co-operation and common sense.”

“Similar comments can be found by Justice Farley of the Ontario Superior Court of Justice in the commercial list case of *Bell Canada International Inc., Re*.

“Perhaps the most expansive comments on this topic recently would be by Justice Himel in *Page (Trustee of)*, where she considers whether persons who accept appointments as a trustee in bankruptcy or a receiver is an officer of a court, and therefore exempt from jury duty under the *Juries Act*. Justice Himel provides a comprehensive review of case law of various positions and titles which are included as officers of the court, even where they are not explicitly stated as such by legislation. She also refers to *Black’s Law Dictionary* ... cites the *Courts of Justice Act* and *Public Service Act*, and provides several maxims of statutory interpretation.

“Justice Himel concludes trustees in bankruptcy and receivers are officers of a court of justice, but her analysis in *Page* doesn’t resolve the issue entirely. Her interpretation of the *Juries Act* is largely based on the language ... of the act, which states, ‘The following persons are ineligible to serve as jurors....

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“6. Every person engaged in the enforcement of law including, without restricting the generality of the foregoing, sheriffs, wardens of any penitentiary, superintendents, jailers or keepers of prisons, correctional institutions or lockups, sheriff’s officers, police officers, firefighters who are regularly employed by a fire department for the purposes of subsection 41(1) of the *Fire Protection and Prevention Act*, 1997, and officers of a court of justice....”

“This specific wording would prevent any application of *expressio unius* or *eiusdem generis* (both of which can be applied to lists) to the *Juries Act*, and no such expansive language can be found in the *Law Society Act*.

“We could assume the ... interpretation that paralegals in Ontario are officers of the court for the purposes of being excluded from juries, but not for the purposes of actually operating within the court system. But the ... maxim of interpretation may be of assistance in looking elsewhere in the *Law Society Act*....

“The 2006 amendments to the Law Society Act created the paralegal standing committee, which in turn led to the changes that created paralegal licensing in 2007. The paralegal standing committee, created in s. 25.1 of the act, is also responsible for creating the bylaws for paralegal regulation. Subsection 25.1(10) of the act also confers quite a bit of discretionary power to the committee as follows:

“Delegation of powers to committee or referee or both

“(10) Convocation may delegate any of the powers conferred upon it by this section to a committee of Convocation and, whether or not Convocation has made any such delegation, it may appoint any licensee as a referee and delegate to the licensee any of the powers conferred upon it by this section that are not delegated to a committee....”

“The committee was specifically responsible for and instituted the Paralegal Rules of Conduct. Rule 3.04(1) discusses personal interests and how to deal with conflicts of interests which may arise from personal relationships, and states:

“Whether such a relationship may interfere with the paralegal’s fiduciary obligations to the client, including his or her ability to exercise independent professional judgment and his or her ability to fulfill obligations owed as an officer of the court and to the administration of justice.”

To not recognize “paralegals as officers of the court is to disregard the ethical obligations they owe to the court. Ensuring that paralegals are officers of the court benefits the public interest and the entire judicial system, because it indicates they have a broader duty and professional responsibility to the law,” which is good for society in itself.

“Calarco points out the close relationship between the right of appearance as officers of the court and enforcement of ethical conduct. When appearance is denied, the purpose is not necessarily punishment, but rather promotion of the proper administration of justice.

“Without the possibility of discipline, there is little ability by the legal system to address unethical conduct of licensees. Courts also have their own ability to enact discipline against officers of the court.”

In Elliott:

“The power of a superior court to cite a person for contempt of court is a very important power, but it is to be used with restraint. It is a serious matter to threaten anyone, let alone an officer of the court, with contempt of court....”

“Although the Law Society Act may not explicitly identify paralegals under s. 29, this should not be taken as an exhaustive list, especially since these amendments occurred before paralegals were officially licensed. As we’ve seen, there are many other officers of the court within the judicial system.

“This section in the Law Society Act could not have envisioned or foreseen the prospective developments of the paralegal standing committee, and the intent of the

statute could not reasonably be construed as binding their authority to define and regulate the new local profession which was being contemplated in Ontario at the time.

“The same act used by Justice Fuerst also provides broad discretion under s. 25.1 to the paralegal standing committee, which has seen it fit to refer to paralegals as officers of the court in at least one instance. Conferring this status does not necessarily change the decision of Justice Fuerst about the order in which cases are called, which is based in law in the Barristers Act and the inherent jurisdiction of superior courts, but it does have some significance.

“One final thought can be derived from a small footnote in a 2006 decision by Master MacLeod in *Iroquois Falls Power Corp. v. Jacobs Canada Inc.*, where he discusses the role of the court and the law society in governing the conduct of lawyers,

“Whatever historical differences may have existed between the roles of barrister and solicitor no longer apply under Ontario law s. 29 of the Law Society Act provides that every “member” is an officer of every court of record in Ontario and section 28 provides that a person who is qualified and is called to the bar and enrolled and admitted as a solicitor “are members and entitled to practise law in Ontario as barristers and solicitors.”

“Similarly, whatever historical differences may have existed between the roles of lawyers and paralegals no longer apply in Ontario as it relates to their status as officers of the court, despite differences in scope of practice. As ‘licensees,’ paralegals are just as responsible to the law society for their license as lawyers are, and are just as answerable to the court as its officers.

“Ensuring this duty exists for all licensed agents working within our court system for the courts that they work in can only be a good thing for other licensees, the judicial system as a whole, and the public.”

When we step back from the legal profession and observe the other professions, too, we notice the trend to divide the scope of labour between two professionals, like a lawyer and a paralegal. It has become more and more common. Some duties of a professional require more intense lengthy schooling; other duties can be handled after a more general study. Thus the ability to allow a practitioner or technician to offer their services is of great benefit to a client.

There are many examples. For instance, if you think of a registered nurse, a registered nurse practitioner, a veterinary or veterinary technician—today the trend, which has been building for certainly the last half century, is not new. On the other hand, to the law society, the institutionalization of paralegals as a profession represents major change. We should not forget the positive contributions made by paralegals in support of the delivery of justice in Ontario. They are monumental.

In part of the 2006 legislation that enables paralegals to operate in Ontario, there is to be a review of the legislation. There are to be two reports produced: one completed by the law society and one completed by the Ministry of the Attorney General. As far as I can find out,

the ministry has not complied with the requirement of the legislation to do a five-year review of how regulation of paralegals by the law society is going. Are the results of the new legislation positive? I'd like to know, but apparently we don't have the report to be provided by the Ministry of the Attorney General.

So today we have only the report provided by the law society itself. I think it certainly behooves this government to comply with the intent of the legislation. I think it's important for us.

In 2012, in a report by David Morris for the society: "In the interest of striking some measure of balance between enhancing public access to justice and ensuring protection for those receiving legal aid from non-lawyers, on May 1, 2007, persons providing paralegal services in Ontario joined the province's lawyers under regulation of the Law Society of Upper Canada.

"Amendments to the Law Society Act that introduced paralegal regulation included the requirement that two reviews be conducted following its fifth anniversary, one by the law society and the other by ... the Attorney General.... Each review was to consider the manner in which paralegals were regulated during the first five years, and the effect of regulation on paralegals and on members of the public."

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The law society delivered its report on June 28, 2012, on its findings of the introduction of their regulation. I think it's really important to have this kind of obligation: to make sure it's fulfilling what its objectives were. As a result of the law society's report, it was able to indicate that satisfaction levels are generally high among members of the public. "The law society acknowledges that, despite its efforts to date, awareness in the general, non-consuming public has not kept pace with changes in the legal services market. In fact, in a submission to this review, a veteran lawyer described his challenges in determining the permissible scope of paralegal practice."

In September 2012, there were 4,000 active paralegal licensees in the province. Remarkably, all of the licences issued have been issued since January 2011.

As I close off, I want to come back to the urgency that has been made clear to us by the law society. The opportunity to be able to increase paralegal representation in the Convocation is time-sensitive. As we have pointed out on this side of the House, it is the opportunity only provided by the government House leader as to when things are debated, and we just want to make clear to all those who are affected that it is in the power of the government House leader to call a bill and allow for debate.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Mr. Jagmeet Singh:** Thank you to the member for adding her voice to the debate and sharing her concerns. It's important to do so.

I want to make one thing clear. While the Attorney General indicated that this is a non-partisan bill and something we should all support—that's fair—I have to

say, though, that the government's priorities are questionable, when we've known about this bill and known about this concern for a significant time. The law society has done their job to let us know about the necessity and the requirement to bring this bill forward in a timely manner, but the government has not prioritized this bill. In terms of the bills they're bringing forward, it's not clear what their goals are. They've quickly rammed through bills like the EllisDon bill, but they're taking their time when it comes to something that's as important as this. I question this government's sincerity when it comes to whether or not they want to bring this bill forward when they had ample opportunity.

The government House leader has full opportunity and authority to choose the bills that are going to come forward and when they come forward. So I ask this government again, why not prioritize the appropriate bills? I asked the same thing when it came to Bill 83, a bill to protect public participation, which is essential for our democracy. This bill is also a priority bill. It doesn't cost the government anything and it's something we need to do to modernize the profession and to assist the law society in doing their job, so why wasn't this bill brought forward earlier? Why is it being brought when we only have left now six or seven sitting days in the House before the year ends? That shows this government's lack of seriousness when it comes to bringing this bill forward and making sure it gets passed in a timely manner. I again ask the government to re-evaluate their priorities.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments.

**Mr. Bob Delaney:** Speaker, let's focus everybody on what the bill is intended to do. Bill 111 will amend the Law Society Act and the Solicitors Act to modernize the regulation of the legal profession. The proposed legislative amendments have been requested by the Law Society of Upper Canada and have been made public in their Convocation, which is the governing body of the law society, or in its mandated five-year review of the paralegal profession.

The law society is a self-regulating body. It regulates the lawyers and paralegals in the public interest. The law society's governing body is composed of 40 elected lawyers, two elected paralegals and eight laypeople who are non-legal, who are public appointees. These individuals are called benchers. There are approximately 44,000 lawyers and 4,200 paralegals who are governed by the law society.

In 2007, the Access to Justice Act came into force. It prescribed the regulation of paralegals. The legislation mandated two five-year reviews of paralegal regulation: one review to be completed by the law society, and a second review to be completed by a non-lawyer, non-paralegal appointee of the Attorney General.

The proposed amendment to increase the number of paralegal benchers is in fact time-sensitive, and it needs to be in effect by December 31, 2013, to be in place in advance of the next four-year election cycle that commences in March 2014. So we are depending upon the

co-operation of our opponents opposite in the Progressive Conservative and the NDP caucuses to make sure this thing, which is requested by the law society, gets passed before Christmas. That's all they've asked us to do: make their profession better by getting this bill passed before Christmas.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Ms. Sylvia Jones:** I very much enjoyed listening to my seatmate, the member from York–Simcoe and the new Attorney General critic for the Progressive Conservative caucus. I think she did an excellent job laying out not only the history of the law society but, quite frankly, the transition that has occurred as we incorporate paralegals into our legal profession. Clearly, this is a bill that would endorse that and modernize it. Considering it is a relatively dry legal process bill, I thought she did an excellent job laying out the value of what it was and why we needed it. Moving forward, I look forward to hearing further discussion on Bill 111.

**The Acting Speaker (Mr. Ted Arnott):** Questions and comments?

**Mr. Gilles Bisson:** Mr. Speaker, first of all, I want to say that we're not opposed to what this bill is trying to do. It's pretty straightforward and, as such, it's not a bill that we want to spend a lot of time on, but there needs to be at least some time for our critic to be able to say what our caucus's views are on this particular bill.

But I've got to say, and it's been said by a few people in the House, as the New Democratic House leader, that normally what happens when a government wants particular bills to pass is, they come to us in the fall or they come to us in the early spring and they say, "Here are the things that we would like to have passed by a certain date." And then the government and the opposition House leaders are able to figure out, all right, what do we feel strongly about, what are we prepared to let go, and what's going to be the trade-off? That's how the Legislature works. Every legislative body in the world is about everybody putting a little bit of water into their wine, government getting some things—maybe not as much as they want—and the opposition getting some stuff in return.

Where was the government in setting out its priorities back in the early fall? What I saw them do was make a deal with the Conservatives on time allocation to pass a number of private members' bills, and then, in exchange, they got some bills that we could all agree to. Why was this bill not put in that agreement? That's the first question I have. Did the government, all of a sudden, say, "No, this is not something we're prepared to put forward?" Was it the Conservatives who didn't want to allow it to go forward? I'm not sure. But at the very least, if it wasn't part of that time allocation motion that they put in place with the Conservatives, why is it that they didn't bring it to House leaders a little bit earlier?

Instead, here we are with less than two weeks left in the fall sitting, and the government comes to us and says, "Oh, my God, the end of this session is coming. Oh, we have to pass all this legislation"—and somehow or other

we're responsible for that? I'm sorry. The government has a responsibility to order how this House is going to deal with business, and when the government doesn't set forward clearly what it wants as priorities, they can't, all of a sudden, accuse the opposition of being the ones to hold it up.

**The Acting Speaker (Mr. Ted Arnott):** That concludes our time for questions and comments, and we return to the member for York–Simcoe for her reply.

**Mrs. Julia Munro:** Thank you very much to the members who spoke: Bramalea–Gore–Malton, Mississauga–Streetsville, Dufferin–Caledon and Timmins–James Bay.

First of all, I want to echo the comments of several of the people in referencing the priority that this government had and where it put it in the order of bills to be debated.

Secondly, the notion that we in any way have held this up—quite the opposite. I've had informal comments with the Attorney General, and we both recognize that it's the House leader's responsibility to be able to put the bills forward.

I'm surprised because of the fact that you would think that the government, when this has all-party agreement and when we are in a minority government, would look at the bills in the way that the member for Timmins–James Bay said—come together with a group of bills—and that this government in its minority situation would like to come forward with some quick wins. That could have been done back in October. Now we're looking at a very short time frame. If this bill was to go to committee—many of the committees are very busy. It's something that they control entirely, and the fact that, as everyone has said around the table here, it's a non-partisan bill—yes, but you're the managers.

The member for Bramalea–Gore–Malton suggested you needed to re-evaluate your priorities. I couldn't agree more. This is an easy win for you, and you have made it difficult for them.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Ted Arnott):** This House stands in recess.

*The House recessed from 1012 to 1030.*

## INTRODUCTION OF VISITORS

**Hon. Kathleen O. Wynne:** I want to introduce the family of page William Randall from Don Valley West: his mother, Sue Gray; father, Steve Randall; sister Becca Randall; grandmother Betty Randall; and grandfather Joe Owen Gray. I think they're all here. Welcome.

**Mr. Monte McNaughton:** It's a pleasure to introduce Brian Goodman to the Legislature today. Brian is the director of government relations and policy for the Canadian Media Production Association. Welcome.

**Mr. Bill Mauro:** I'm really excited today to be able to introduce to the Legislature five incredible young people. These five young people gave up their jobs—their lives were all affected by men's health issues—and they

cycled for the Movember campaign, the Moustache Ride Across Canada, from Vancouver to Toronto. They raised \$121,000 for prostate cancer, as I said, giving up their jobs, averaging about 130 kilometres a day from Vancouver to Toronto in what is inclement weather, as I'm sure all people can appreciate.

First, Jordan Gildersleeve, Ben Frisby and Kevin Shaw: the three cyclists. I'd like them to stand. They're sitting in the east gallery, along with their driver, Erin Quinn—all from Vancouver. The fifth person on the tour was Robert Bickford. Robert is formerly from Thunder Bay—he was the videographer on the trip—now residing in Toronto. I want to thank them all very much for what they did.

**Mr. Rob E. Milligan:** It's great to stand up here and introduce a former member from the great riding of Northumberland–Quinte West: Mr. Lou Rinaldi is here in the east gallery. Thank you very much, Lou, for coming to Queen's Park today.

**The Speaker (Hon. Dave Levac):** I want to thank the member for stealing my thunder. I appreciate it.

**Mrs. Amrit Mangat:** It is my pleasure to introduce Dr. Satish Verma, director of youth welfare from Punjabi University in Patiala, India, who is here to attend the World Punjabi Conference, and my husband, Dr. Jaswant Singh Mangat. They are in the east members' gallery. Welcome to Queen's Park.

**Mr. Rob Leone:** It's with great honour that I welcome to this world Lincoln Lloyd Harris, the newest tiny Tory born to the member for Kitchener–Conestoga. I want to congratulate him and his wife, Sarah, as well as brothers Murphy and Brayden.

Mr. Speaker, that's three tiny Tories born to PC MPPs this year, and we're proud to have them.

*Interjections.*

**The Speaker (Hon. Dave Levac):** I think we've hit a new level for heckling during introductions. I think that's good.

*Interjection.*

**The Speaker (Hon. Dave Levac):** That's counting your chickens as they're hatched.

The member from Nickel Belt.

**M<sup>me</sup> France Gélinas:** It is a great pleasure for me to introduce Léo Therrien, le directeur général de la Maison Vale Hospice, qui est ici en l'honneur de soins palliatifs. Ça m'a fait bien plaisir de le rencontrer, M. Léo Therrien.

**Mr. Rick Bartolucci:** For the English translation of that, we'd like to welcome Léo Therrien, who is with the Ontario hospice association. Léo runs Maison Vale Hospice in Sudbury. He does a remarkable job for those dealing with end-of-life issues, and we congratulate him for his great work and the association's great work across the province of Ontario.

**Mr. Jim McDonell:** I'm honoured to welcome the parents of page captain Marina St. Marseille. Her parents, John and Margaret St. Marseille, are in the gallery. They're from Cornwall. John works for the city of Cornwall. I'm just happy to have them around today.

**Hon. Jeff Leal:** It's a great pleasure for me to introduce some guests in the members' east gallery today. I'll

start with the former member for Northumberland–Quinte West, Lou Rinaldi, and Victoria Parker and Chelsie Weir, in the members' east gallery.

**The Speaker (Hon. Dave Levac):** Thank you for stealing my thunder.

**Hon. Kathleen O. Wynne:** I need to correct my record, because I introduced people incorrectly. The grandmother of William Randall is actually Betty Gray, who is here, and Becca and Emma Randall, his sisters, are both here.

**Hon. Liz Sandals:** I'm delighted to introduce Susan Kawa from Silver Creek Pre-School in Etobicoke, and Janet MacDougall from Yes I Can! nursery school in North York. They are both here for the International Day of Persons with Disabilities.

**Hon. Charles Sousa:** Joining us today—and it gives me great pleasure to introduce them—is a delegation from Figueira da Foz, a city in Portugal, led by the mayor of Figueira da Foz, João Ataíde, and his wife, Maria Silvia Vaz Serra Ataíde. Also joining them are Tiago Castelo Branco, chief of staff from the city of Figueira da Foz, and Bárbara Sofia Ferreira, director of tourism from Figueira da Foz—and hosted by Maria Oliveira from Able Translations. Welcome to Queen's Park.

*Remarks in Portuguese.*

**The Speaker (Hon. Dave Levac):** As is the custom—and having been stepped on by two members—it's my pleasure to introduce, from the 38th Parliament and the 39th Parliament, from Northumberland–Quinte West, Mr. Lou Rinaldi. Welcome.

## YOUTH ARTS PROGRAM

**The Speaker (Hon. Dave Levac):** I do want to draw the attention of all of the members to the Legislative Assembly's youth arts program, a program put on by PPPR—and I thank them for their wonderful work—being showcased here in the building.

This program celebrates the incredible artistic talents of our young Ontarians aged 14 to 18. Works of art will be on display on the main floor rotunda leading into both the hallways and to the library, and works of art will also be on display on the fourth floor, from now until March 2014.

I hope you will take some time to view these amazing exhibits. I think you will be impressed, very impressed, with the high calibre of the works on display. I thank all the schools, the teachers, and especially the students for sharing their wonderful art with us. Wonderful work.

Last night, I was able to share with some of the artists who were here for Lights Across Canada. Some of their principals and teachers were here, and they were very, very thankful that we're displaying Ontario artists at a young age. I thank all of you for participating and sharing.

Watch for some of the artwork within your own ridings, and I would recommend and ask that you maybe make contact.

It is now time for question period.

## ORAL QUESTIONS

### MANUFACTURING JOBS

**Mr. Tim Hudak:** Speaker, my question to the Premier, a very simple question of basic economics: Does the Premier believe that there is a direct causal relationship between rapidly increasing energy prices in Ontario and the hollowing out of our manufacturing sector, the 324,000 lost manufacturing jobs?

**Hon. Kathleen O. Wynne:** What I know is that there are companies that are coming to Ontario, Mr. Speaker. There are jobs being created in Ontario.

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The reality is that our energy prices are competitive with our neighbouring jurisdictions, and we've made sure that that is the case. We've put in place programs to deal with particular sectors, like northern industrial.

As I said, we believe that the plan that we have in place, which is investing in people and in infrastructure that's needed by communities, and creating that business environment that is competitive, is working, which is why businesses are coming to the province.

Is there more that needs to be done? Absolutely, and we are going to continue to play to our strengths and put those conditions in place.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Tim Hudak:** It's almost like the Premier is inferring that higher energy prices are attracting jobs in the province of Ontario. It's entirely bizarre. That fails a basic test of economics. Premier, I can't believe that you actually believe that. I can't believe that you've been so insulated from what's happening in towns across our province and cities. I can't believe you're that out of touch.

When you double hydro rates in the province of Ontario, when Ontario has gone from having the most competitive hydro rates to among the most expensive for business in the province, there's a cost for that. Sadly, the cost is that the bills are going up by about \$500 for an average family in our province, and they're driving manufacturing jobs out of the province of Ontario.

So let me ask a very simple question of the Premier, again, because I think she gave me the opposite answer of what's a basic rule of economics: Does the Premier believe there is a direct causal relationship between skyrocketing hydro rates and the hollowing out of our middle class and the loss of manufacturing jobs in Ontario. Yes or no?

*Interjections.*

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

Be seated, please. Thank you.

Premier?

**Hon. Kathleen O. Wynne:** I would reply to the Leader of the Opposition: Does he believe, simplistically, that there is only one condition that creates opportunity for business? Does the Leader of the Opposition believe that it was not necessary to invest in transmission, to invest in the upgrade of our grid, to invest in generating

capacity? The fact is, when we came into office there was not a stable supply of electricity in this province; there was not a predictability that businesses could count on. So we made those investments.

The reality is that there's a full range of conditions that need to be in place, including making sure people have the right skills so that they can fill the jobs that are necessary, making sure that there are roads and bridges and transit in place, that infrastructure that's so necessary. Mr. Speaker, I would ask the Leader of the Opposition, does he believe that those things are important? Because those are the things that we have been putting in place.

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

**Mr. Tim Hudak:** I believe one thing is most important above all else, and that's the creation of good, steady jobs that actually pay an income you can survive on and that grow our economy.

Look, you asked me, do I think energy is the only cause? Well, no. It's the increase in taxes in the province of Ontario. It's the growing, growing red tape. It's the record deficits and record debt in our province. It's the giveaways to the public sector unions. It's a government that has no clue about economics.

Is there one rule for this? No, there are plenty, Premier. I can go on and on if you want me to. The bottom line, though, is when you're in a hole, you stop digging. Your rule is, you dig a little slower and get the hole deeper.

Why in the world do you want to continue with Dalton McGuinty's failed green energy subsidies, putting wind turbines across the province like giant pins on a pin-cushion? It's economic madness. It's costing us jobs. Why in the world are you continuing down Dalton McGuinty's failed path that's costing us jobs?

*Interjections.*

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

Premier.

**Hon. Kathleen O. Wynne:** Minister of Energy.

**Hon. Bob Chiarelli:** Mr. Speaker, let's hear from some other voices, like Ian Howcroft, Canadian Manufacturers and Exporters: "The LTEP review responds to a key priority for CME by providing greater clarity and certainty for manufacturers with respect to electricity rates going forward. CME also supports new initiatives to enable manufacturers to better manage their energy and the associated costs. Importantly, LTEP will reduce overall system costs, which ultimately translates into more competitive forward rates for businesses."

Mr. Speaker, there are some other voices that I will bring later on in subsequent questions.

### HYDRO RATES

**Mr. Tim Hudak:** Again, I do hope the Premier responds to these questions. Premier, I'm going to be very plain about this. You can't substitute in Bob Chiarelli

when you're before the justice committee today to answer questions by Lisa MacLeod—

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

Two things. First, I need it directed to the person. You just carried on a conversation. Direct your new question. And we use only titles and we only use ridings, please. Thank you.

**Mr. Tim Hudak:** It's a question to the Premier, Speaker.

Premier, with respect, you can't substitute in the energy minister when you're before the justice committee today to answer basic questions about why you misled the assembly and misled MPPs about what you knew about the gas plant scandal and when you knew it. No substitutions; no time-outs. This afternoon you're going to have to tell the truth.

Let me ask you a basic question here too; a very basic question. Yesterday in the Legislature, you said that Ontario's energy rates for business were lower than bordering states and provinces. Premier, you know that is not a fact. Can you please tell me the source where Ontario's energy bills are lower for business than competing states and provinces?

*Interjections.*

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

Premier?

**Hon. Kathleen O. Wynne:** I've been clear that we are competitive with neighbouring jurisdictions. I also acknowledge that where there is inexpensive hydro, in Quebec and Manitoba, those costs are less; I've been clear about that.

The Leader of the Opposition is part of a party that neglected the electricity system. When we came into office, we needed to make those investments. We have made those investments. What the Leader of the Opposition would like to do now, what stands for a plan from his side, is that he wants to invest in new nuclear that has been determined is not necessary. That \$15-billion cost that is not necessary—he would like to go forward and make those investments.

Our contention is that there are a number of conditions that need to be in place in order for business to thrive: investment in people, infrastructure and a business climate. That's what—

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

**Mr. Tim Hudak:** The Premier's reliance on 10-year-old briefing notes—blow the dust off them—when the biggest issue of our times, a loss of jobs in our province, is truly frightening. I want to say to you, Premier, the shaky grip of this government on basic economics—the fact that higher hydro prices cost us jobs—is truly frightening when we consider that that's going to cause more damage to the province of Ontario. I have no understanding of why you think the right decision, when we're hemorrhaging jobs—3,000 manufacturing jobs a month, Premier, under your leadership alone—why you would double down on Dalton McGuinty's failed policies of subsidizing wind and solar.

There is a business I visited recently. They can create jobs in Ontario or the state of Texas. They have plants in both places. They're an Ontario company. They're dedicated to the province, but they say, "Tim, when hydro rates are 70% cheaper in Texas for business than the province of Ontario, where are you going to put the jobs?"

Premier, how can you answer that question when your very policies are driving hydro rates through the roof and costing us jobs?

*Interjections.*

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

Premier?

**Hon. Kathleen O. Wynne:** Minister of Energy.

**Hon. Bob Chiarelli:** I know that previously, in some kind of a white paper, the Leader of the Opposition said that he was going to eliminate renewables from the system and use that to subsidize the industrial rates. Wind and solar represent roughly less than 4% of the total generation. His numbers don't add up. He couldn't come close to subsidizing—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order. The member from Chatham–Kent–Essex will come to order, the member from Huron–Bruce will come to order and the member for Prince Edward–Hastings will come to order.

Carry on.

**Hon. Bob Chiarelli:** Again, his numbers don't add up. He's going to get rid of them out of the energy mix and he's going to use the money saved to subsidize industrial prices. We've done the calculations, we've looked at it, and it doesn't work; it doesn't add up. It's like your budget and everything else you're talking about: The numbers just don't add up.

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

**Mr. Tim Hudak:** I want to, Premier, directly to you, just express my sincere disappointment that on basic questions around the biggest issue in our province—jobs and the economy—you shove them off and hand them off to a minister. I worry that it's either weak leadership or you don't understand the basic economics that are at stake here. You have made deliberate decisions over 10 years to drive up our hydro rates. Our hydro rates have more than doubled.

What we saw yesterday was nothing more than a short-term plan for Liberal re-election interests. The problem is, it has a long-term, lasting impact on our competitiveness and jobs for families across Ontario. Your plan has been an abject failure. Hydro rates are going through the roof. It's costing us jobs on a daily basis. You're eroding the middle class. You're taking away hope from those who actually want to work in the province of Ontario and create jobs.

We have a plan to make energy affordable, to lower taxes, to cut the red tape, to make Ontario rise again, to make us a beacon for investment and job creation. If you can't handle this job, step aside—

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

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*Interjections.*

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

Minister.

**Hon. Bob Chiarelli:** The same graphs that he was looking at in the long-term energy plan will disclose the following: For an industrial consumer with a demand of five megawatts per month, our 2010 plan had projected that in 2014, next year, they would be paying \$109 per megawatt hour. Under this plan, and the graphs that are in the plan, the 2013 long-term energy plan projects that would only be \$87 per megawatt hour. This is an unbelievable improvement for the industrial sector.

He is only reading part of the plan; he's not reading the whole plan. He should be properly briefed himself.

*Interjections.*

**The Speaker (Hon. Dave Levac):** New question. The leader of the third party.

*Interjections.*

**The Speaker (Hon. Dave Levac):** I want to give the member an opportunity to put her question properly. Order, please.

#### HYDRO RATES

**Ms. Andrea Horwath:** The question is to the Premier. Ontario families and businesses are already paying the highest electricity rates in Canada, and yesterday the government confirmed their plan to send them even higher. Ontarians expect or at least hope that the people that they elect to represent them will actually protect their interests when it comes to electricity rates. As a member of cabinet, the Premier signed off on a plan that added millions to the government's private power deal in Oakville. Why did she do that, Speaker?

**Hon. Kathleen O. Wynne:** As the leader of the third party knows, I have agreed to appear before the committee again today to answer the questions that will be asked of me and to repeat the information that I have given to this House and to the committee previously. I'm happy to continue to answer those questions, Mr. Speaker.

But what the leader of the third party also knows is that we have put a plan for energy in place—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The answer is being provided by your Premier.

**Hon. Kathleen O. Wynne:** The long-term energy plan was just released yesterday. I have no idea what the plan of the third party is. They do not agree with us on green energy; they don't agree with us on nuclear refurbishment. They don't agree on any of the investments that we have made. So I don't know what their plan is, but what I do know is that we have to have a long-term, stable plan. That's what we have; we've put that in place. That will give some predictability to industry and residents in the province.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Andrea Horwath:** The auditor made it clear that the agreement the Premier signed was part of a political strategy to ensure that the public didn't hear about the cancellation as the province was heading into an election.

In her testimony at hearings into the gas plant scandal, the Premier claimed that she simply signed off on a plan that was put in front of her and didn't ask any questions as to how it might affect the people stuck with the bill. Is that the Premier's defence for this decision, that she was just being a team player for the Liberal campaign?

**Hon. Kathleen O. Wynne:** Again, we've been over this ground many times, and I will go over it again in answer to questions in the committee this afternoon. But the leader of the third party knows that there was a decision that was made to cancel and relocate gas plants. That was a decision that was agreed, by all the parties, was the right thing to do.

I was part of the cabinet that made that decision. There was a negotiation process that was being engaged, and I did not have the details of what was going to happen at that table. So I've been over that ground. I will go over it again at committee, Mr. Speaker, but I think the leader of the third party knows that the decision that was made is one that was supported by everyone.

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

**Ms. Andrea Horwath:** Well, Speaker, one thing I think the Premier needs to know is that the people of Ontario know that just because the Liberals say it doesn't mean it's true.

As the Liberal campaign co-chair in the 2011 election campaign, the Premier heard about her party's commitment to cancel a gas plant in Mississauga, and, given her role in the Oakville negotiations, she must have been pretty aware that this too would hit ratepayers hard. Did she place any calls or raise any concerns with the campaign team or did she decide once again to make her priority helping the Liberal campaign?

**Hon. Kathleen O. Wynne:** The member from Toronto-Danforth, a member of this leader's caucus, understands, and what he said on April 11 was, "I don't see it as a smoking gun. We knew that the cabinet was approving this process. So this does not surprise me."

Mr. Speaker, it was part of a process. It's a process that I have outlined many times and will no doubt have a chance to outline again this afternoon at committee. The reality is that I have taken responsibility. I have said that there were decisions made that should have been made in a better way. What is very important is that we have in place a process that will mean that this will not happen again, that the community will be engaged in a different way so that this kind of decision will not be made again. The leader of the third party knows that I've taken responsibility for that.

#### HYDRO RATES

**Ms. Andrea Horwath:** My next question is also to the Premier. People hear the Premier talking about doing



things differently, but all they see are the same cynical approaches and tired ideas that got us where we are. People feel like they've been abandoned, Speaker.

Karen wrote us to say this: "My last hydro bill I had to ask my daughter to cover for me ... and she could barely help as she has major student loans to pay back. I am tired of working and not getting ahead.... When will this end?" What does the Premier have to say to women like Karen, who expect their Premier to have their backs when it comes to their electricity bills?

**Hon. Kathleen O. Wynne:** Again, I sympathize with people who are struggling, Mr. Speaker. It's why we have put a number of supports in place, whether it's a tuition rebate, whether it's support for young families with children—

**Hon. Charles Sousa:** Child care benefit.

**Hon. Kathleen O. Wynne:** —the Ontario Child Benefit, whether it's a reduction on the electricity bills, the clean energy benefit. We have put those in place.

But, Mr. Speaker, Karen and all of the residents of Ontario need to have a reliable energy source. They need to know that when they go to turn the lights on, the lights are going to come on. In order for that to be the case, the government must have a plan. The leader of the third party does not have a plan. No one knows how she would keep the lights on in this province, Mr. Speaker. Everyone knows that we have a predictable and stable plan. That plan was released yesterday, and I would have thought that she would have supported the conservation—at least—aspect of that, Mr. Speaker.

*Interjections.*

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

**Ms. Andrea Horwath:** Speaker, the Premier's sympathy is not going to help Karen pay her hydro bill.

The scandal with the gas plants, unfortunately, is not an isolated—

*Interjections.*

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

Leader.

**Ms. Andrea Horwath:** The scandal with the gas plants is not an isolated incident, unfortunately. To many people, it has become a symbol of the government's absolute indifference to people struggling to make ends meet and to hold onto good jobs.

Wayne works with a large manufacturer, and he writes, "Our jobs may be on the line due to rising hydro rates. To have a middle class you must have manufacturing; that's a fact the world over. Maybe those in charge do not want a middle class...." What does the Premier have to say to Wayne and thousands like him who think the government's hydro policy may cost them their jobs?

**Hon. Kathleen O. Wynne:** I would want to make sure that people who are concerned about industrial rates understand that we have put programs in place because we acknowledge that there are concerns.

The industrial electricity incentive: As of 2013, eligible companies qualify for electricity rates that are

among the lowest in North America, in exchange for creating new jobs. So we've made that connection. The industrial conservation initiative helps large consumers save on costs by incenting them to shift their hours of use. The Northern Industrial Electricity Rate Program puts in place a reduction for northern industrial consumers. It reduces their costs by 25%.

So it's very important that people understand that we do acknowledge that there are concerns in the industrial sector. The Minister of Energy has just noted some quotes from yesterday that manufacturers and industries understand that predictability is important and that we have these programs in place. So I would hope that they understand that that's the case, Mr. Speaker.

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

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**Ms. Andrea Horwath:** Speaker, people worried about keeping good jobs and making ends meet feel that this government simply doesn't care about their challenges, and the mess in the electricity system proves it. People are tired of paying the price for the government that just doesn't seem to get it. Instead of offering real change, we see the government scrambling to hide the damage that they've done.

Does the Premier have anything to offer people who are feeling the squeeze like never before, or does she agree with her minister that the mess this government has made in our electricity system is simply a fact of life?

**Hon. Kathleen O. Wynne:** Actually, what we have done since we came into office is we've been cleaning up the mess that was left by the previous two governments.

We have made investments that were necessary. We have made sure that the grid has been upgraded. We're dealing with communities that need support, that need energy, and we're working on building that infrastructure so that they will have the energy supply that's necessary.

We recognize that cleaning the air is not a priority for either of the opposition parties, which is surprising, actually, because I would have thought that green energy, at least for the NDP, would have been a priority. Apparently, it's not.

Creating jobs in the green energy sector, cleaning up the air, making sure we have a stable energy supply: Those are our priorities, and we've been working on that, cleaning up the mess that was left by the previous two governments.

*Interjections.*

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

New question.

## HYDRO RATES

**Ms. Lisa MacLeod:** My question is also to the Premier. Your energy plan will cost Ontario families anywhere between 30% to 50% more. That is, on average, \$400 per family. Your energy policy is also going to lower the standard of living in Ontario. As

Ontario families decide they need to lower their energy bills, they're going to have to shut off the lights, shut off the heat, shut off their appliances.

I think you owe it to the constituents across this province to tell them exactly how much of this rate increase is due to your catastrophic energy policy as well as to those cancelled gas plants. We'd really like to know, because the only party with a plan, at the present moment, to make those more affordable is our party, under PC leader Tim Hudak.

**Hon. Kathleen O. Wynne:** Minister of Energy.

**Hon. Bob Chiarelli:** The member should know by now that the costs of relocating those gas plants are not even in the system yet. It will be three or four years before they're in, and by that time, Mr. Speaker—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order.

Stop the clock.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Actually, start the clock.

*Interjections.*

**The Speaker (Hon. Dave Levac):** Order.

Minister of Energy.

**Hon. Bob Chiarelli:** We've taken \$20 billion out of the cost base, including \$15 billion for new nuclear. That is going to push rates down as we move forward. The—

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Lambton-Kent-Middlesex.

**Hon. Bob Chiarelli:** —will be an average of 2.8%.

Mr. Speaker, again, they look at the graphs in the plan and they will pick out a couple of years where there is excessive pressure on prices. They will not look at the overall plan that will show that the reduction over 20 years is 2.8% per year.

Mr. Speaker, there's no way to avoid electricity cost increases. Neither leader on the other side has given a commitment to—

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

Supplementary?

**Ms. Lisa MacLeod:** I'm astonished. His short-term energy plan, in the long run, is going to cost at least \$1 billion more on the rate base. What else are they hiding from the public from this long-term energy plan? That actually confirms our suspicion that you released that report yesterday solely to distract the public from the Premier attending the gas plant hearings today.

Speaker, I want to go back to this jobs issue. It's not only families and seniors who are suffering as a result of these rate hikes. We have lost 300,000 manufacturing jobs across the province. She's making Bob Rae blush by sending so many jobs south.

We are now the only jurisdiction in the world that relies on losing jobs as a conservation plan. We have received letters from a number of organizations, including businesses, who tell us that the average industrial electricity price in Ontario is double the average of Manitoba, Quebec and Michigan. It's not just homeowners who are

suffering; it is the business community. Why are you sending our jobs south?

*Interjections.*

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

*Interjections.*

**The Speaker (Hon. Dave Levac):** The member from Oxford, come to order. The Minister of the Environment, come to order. The member from Nepean-Carleton, come to order.

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Eglinton-Lawrence, come to order. Thank you. Minister of Energy.

**Hon. Bob Chiarelli:** I'll be happy to speak for the Minister of Finance on jobs, Mr. Speaker. The minister and the Premier have stood up on a regular basis and indicated that throughout the recession period and coming—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The member from Bruce-Grey-Owen Sound will come to order. That's the second time.

*Interjection.*

**The Speaker (Hon. Dave Levac):** The member from Durham, come to order.

Finish, please.

**Hon. Bob Chiarelli:** —created more than 460,000 net new jobs coming out of the recession, between the recession and now—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The member from Lambton-Kent-Middlesex, come to order.

**Hon. Bob Chiarelli:** —and I will say that 31,000 of those jobs are in the clean energy sector—

*Interjections.*

**Hon. Bob Chiarelli:** —in wind, solar and biomass. There is a huge industry here in Ontario, which we have created. Part of those 460,000 jobs is coming right out of the energy sector.

They need to look the people in the eye who are creating those jobs, creating those new companies, and tell them that they are going to make it stop, Mr. Speaker.

## MANUFACTURING JOBS

**Ms. Cindy Forster:** My question is to the Premier. The Canadian Manufacturers and Exporters have said that electricity costs can be a "deal breaker," but the energy minister has called skyrocketing costs "a fact of life."

Ten years of Liberal government has put the unemployment rate in Ontario higher than the national average. It's time to get our hydro bills under control so that we can grow and create jobs. Why is the Liberal government more interested in their political fortunes than getting hydro rates under control so we can create jobs?

**Hon. Kathleen O. Wynne:** Minister of Economic Development, Trade and Employment.

**Hon. Eric Hoskins:** I'm happy to talk about jobs in this province. I want to talk about Roger Martin's prosperity task force. His report was released last week. This is a quotation from their report: "Few comparable regions outside of North America have an economy that is as competitive and prosperous as Ontario's.... Ontario's GDP per capita is higher than the median of the 12 international peer regions identified by the task force, thanks in part to a highly skilled workforce, stable economy and diverse mix of productive industries." He goes on to say, "The Ontario government's 2013 fall economic statement is commendable for its focus on infrastructure, possible tax reforms and investments in human capital." He says that "Ontario's tax system is now one of the most business-friendly in the OECD."

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Cindy Forster:** Business leaders in Niagara have identified lower hydro rates as being one of their top priorities when it comes to attracting manufacturing investment and creating jobs. Alternatively, high hydro prices are the biggest issue facing new development and expansion, as Mayor Bradley of Sarnia has said about Nova Chemicals' expansion plans.

Companies that are already seeing costs as deal breakers can expect a 40% increase over the next five years. Is the Premier going to get hydro rates under control so that businesses can grow and create jobs, or is high unemployment, just like skyrocketing hydro costs, just another Liberal fact of life?

**Hon. Eric Hoskins:** I want to say that, of course, electricity prices are a factor in business decisions and investment decisions in this province. But I think it's important that all of us pause for a moment and recognize just—the opposition parties, I think, are getting close to a line, because if investors from other countries are looking at us today and at this moment, and they hear how the official opposition is talking down manufacturing and saying, "Don't come here because it's too expensive," and now we have this party as well, talking down our manufacturers and the hard efforts of our employers and the importance of investing here—I think we all have a responsibility.

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Mr. Speaker, 40% of the manufacturing in this country is located here in this province. Nearly a million people are employed in this sector. We work hard for them every day. We've created nearly 500,000 jobs since the bottom of the recession. We've created the eastern economic development fund and the southwestern Ontario.

We're going to continue to work hard for our manufacturers and for all of our employers and businesses around the province.

#### ENERGY POLICIES

**Ms. Soo Wong:** My question is for the Minister of Energy. Speaker, yesterday the minister introduced On-

tario's new long-term energy plan. The plan set out the province's priorities and initiatives for meeting the energy needs of Ontarians for the next 20 years.

We all know the energy policy has been a topic of discussion in Ontario these days, and for good reasons. It is an issue that affects every Ontarian directly. In my riding of Scarborough–Agincourt, I frequently hear concerns from the constituents, wondering how they can lower their electricity bills. Given that electricity is an important issue for Ontarians, the release of this plan is very timely.

Mr. Speaker, through you to the minister: Can he please tell the House what are some of the highlights from the new long-term energy plan?

**Hon. Bob Chiarelli:** I thank the member from Scarborough–Agincourt for her question. The new plan is a balanced approach to meeting energy needs today and for generations to come.

*Interjections.*

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

**Hon. Bob Chiarelli:** The plan is based on what we heard from First Nations and Métis communities, stakeholders, municipalities and consumers from across Ontario.

This plan is built around five key principles: cost effectiveness, reliability, clean energy, community engagement and putting conservation first.

The member's constituents will be happy to know that we have taken several very significant steps to reduce the rate of increases to their hydro bills. Compared to the previous long-term energy plan, an average consumer can expect to pay about \$520 less over the next five years, and about \$3,800 less to 2030.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Ms. Soo Wong:** Thank you, Minister, for that response. It is certainly a significant amount of real savings for families and small businesses.

One element of the new plan that I find particularly interesting is the introduction of the new financing tools for home energy renovations. I know that conservation is the best way for families to lower their energy bills. I also understand that the new long-term energy plan includes a commitment to foster a culture of conservation in Ontario by encouraging and empowering consumers to reduce their consumption.

Minister, you also spoke about energy literacy as one way that we can educate and empower consumers to make choices about how reduce their consumption. It sounds like the on-bill financing has the potential to be another powerful tool for consumers to look at for lowering their energy bills.

Speaker, through you to the minister: Can he please inform the House about the details on the on-bill financing and clarify how it might reduce the costs for consumers using this program?

**Hon. Bob Chiarelli:** On-bill financing for home energy retrofits is another step towards empowering consumers to control their electricity consumption. Specific-

ally, it helps consumers finance energy-efficient projects in their home and business, which will save them money in the long run.

Similar programs in neighbouring jurisdictions like Manitoba and New York have been very successful in allowing people to make upgrades to their homes with no upfront costs and a convenient, low-interest repayment model.

Over the long run, savings on energy bills can surpass the cost of the renovations, achieving a net savings for consumers while helping to protect the environment and lower system costs to the province.

On-bill financing is one more way the new long-term energy plan is empowering consumers to lower their energy bills.

#### CHRIS MAZZA

**Mr. Frank Klees:** My question is to the Premier. Speaker, yesterday the Minister of Health explained why she could claim ignorance about the latest revelations about Chris Mazza's multi-million dollar salaries. She confirmed that she received the forensic audit report that was conducted by the government in December 2011, which gave the details of those salaries, but she confirmed for us that neither she nor her deputy bothered to even open the envelope. It was sent directly to the OPP, she said.

Speaker, this was a forensic audit of the operations and financial dealings of an organization embroiled in scandal under her watch, and this minister tells us that she didn't even bother to open the envelope. I ask the Premier, after displaying such gross incompetency, why is this minister still in your cabinet?

*Interjections.*

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

Premier.

**Hon. Kathleen O. Wynne:** Because she's an excellent health minister and she is transforming the health care system so it will be sustainable for generations to come. That's why she's still in office.

I know that the Minister of Health is going to want to speak to the specifics of this question in the supplementary but I want the member opposite to remember that this is the Minister of Health who ordered the forensic audit in the first place. This is the Minister of Health who, based on the findings of the report, brought in the OPP to investigate. This Minister of Health has made sure that her reactions to the situation were immediate and appropriate. I know that the member opposite actually knows that. He also knows that if we don't transform the health care system in the ways that the minister is doing it, it will not be sustainable over time. That's why she is doing the job and doing it in a very good way.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Frank Klees:** The best way to transform the health care system is to get rid of this minister.

There are two issues here: One is that the minister ordered a forensic audit and then didn't bother to look at

it to see exactly what the details were. The second is that the minister was in contempt of Parliament because she knows full well that the Standing Committee on Public Accounts asked for every piece of correspondence and information that related to the financials of Ornge and especially that all of the payments made to Mazza be tabled with that committee. She had the information. She may not have looked at it but she knew it was there. The committee on public accounts was denied that information.

I say this to the Premier: Her excellent Minister of Health has failed the people of this province. She held the committee in contempt. I ask her once again, why does she continue to hold the portfolio that she does? She's not worthy of the title.

*Interjections.*

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

Premier.

**Hon. Kathleen O. Wynne:** Minister of Health and Long-Term Care.

**Hon. Deborah Matthews:** I think the member opposite needs to do his homework because if he did his homework, he would know that a government member, the member from Guelph, asked Ornge at committee for all payments made to Dr. Mazza from all Ornge entities. That information was tabled with the committee a year ago. It was publicly released in January of this year—all but that personal information that could not be released. That information has been at committee for a year. To suggest that we are hiding anything is absolutely bogus, when it is absolutely true it was tabled and released publicly.

#### CHRIS MAZZA

**Mr. Jagmeet Singh:** My question is to the Minister of Health and Long-Term Care. The Minister of Health ordered a forensic audit of Ornge when she realized that there were some serious problems going on. But when the audit team delivered their findings, the minister did not bother to read the findings.

At the same time, despite the fact that we were studying this issue in a legislative committee, despite the fact that there were ongoing investigations and despite the fact that there was legislation tabled in this House, can the minister explain to Ontarians why she was not interested in what the audit team had to find?

**Hon. Deborah Matthews:** I appreciate the opportunity to provide some clarity. There was a request from a member of the government side to release all payments made to Mazza. That information was released a year ago to the Standing Committee on Public Accounts. In addition—separate issue—I ordered a forensic audit. The forensic investigation team from the Ministry of Finance went in and did that forensic audit. I received an interim report in February. There was enough in that interim report for me to refer the matter to the Ontario Provincial Police. They are doing that investigation. The interim report concerned me enough that I referred it to the OPP.

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When, in July 2012, the final report came in, it was provided to the deputy and he returned the envelope unopened with the following explanation: “For clarity, as the report is being provided to the OPP, I have not read, copied or otherwise accessed the report that FIT provided to my office so as not to”—

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

**Mr. Jagmeet Singh:** The Minister of Health has indicated that she was far too trusting of Dr. Mazza, but it seems, again, that the Minister of Health has missed the point. The Minister of Health of the province of Ontario—it’s not her job to be trusting; it’s her job to provide oversight of all the services provided.

This government has failed in its oversight of Ornge. It was this government that was fully aware of questions asked by the NDP long before Ornge made headlines in the newspapers. It was this government that failed to address whistle-blowers who raised issues and concerns about Ornge. It was this government that allowed Ornge to fall off the sunshine list. It was this government that failed to provide oversight.

Will this minister admit that she did not do her job?

**Hon. Deborah Matthews:** Let me repeat: On December 22, 2011, I ordered a forensic audit. The audit team was there the next day. By February, they issued an interim report. I read that interim report. The interim report was troubling enough that I referred the matter to the OPP. We, on this side, let the police do the job of policing.

When the final report was delivered in July, the deputy minister—and I’m going to take the opportunity to finish this—“For clarity, as the report is being provided to the OPP, I have not read, copied or otherwise accessed the report ... provided to my office so as not to inadvertently impact the ongoing OPP investigation, and in the interests of transparency, I am returning the single hard copy of the report that was received.” This is appropriate protocol, followed appropriately.

*Interjections.*

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

New question.

#### ASSISTANCE TO THE DISABLED

**Mr. Shafiq Qaadri:** Ma question est pour le ministre des Services sociaux et communautaires, l’honorable Ted McMeekin. All of us in our constituency work are inspired by individuals who are looking out for their families, striving to put bread on the table and enter Ontario’s labour market. This struggle to integrate or to reintegrate into the workforce is especially telling and poignant in persons with disabilities. Though Ontario has led the country in job creation since the recession, with numbers cited during this question period, persons with disabilities can, of course, find this quite challenging.

Can the minister please inform this chamber what our government is doing en route to creating a more just and prosperous society to help people with a disability enter or re-enter the job market?

**Hon. Ted McMeekin:** I want to thank the member for his question and his commitment. As a government, we are focused more on people’s abilities than the alleged disability, and that is in large part why the budget spoke about the partnership table that we’re creating to work with employers to employ folks with developmental challenges.

We’re interested in creating jobs for everyone, regardless of their age, their ability, their sexual orientation or ethnicity. We’re doing a pretty good job of that, to be frank. The employment supports component of the ODSP provides employment assistance for people with disabilities who are interested in preparing for employment. In fact, this program has had 4,537 clients enter the program and receive supports, and some 2,264 have actually found employment.

Now, I want to compliment the federal government here. They’ve been helpful in terms of providing funding. The contract is winding up. We hope it can be renegotiated.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Shafiq Qaadri:** Thank you, Minister, for the update on the ODSP and labour issues. I know, of course, first-hand that folks with disabilities in my own riding are having some measure of success through these funding opportunities. I think they would also be encouraged to learn that negotiations between the governments of Canada and Ontario are proceeding, I understand, in a positive, collaborative and salutary direction.

This, of course, will affect many, many residents in my own riding of Etobicoke North, and I think it’s important that we build on the past successes. I believe it’s part of the mandate and responsibility of all governments to stand up for these people, to ensure that they get the supports that they need and deserve.

Speaker, would the minister please share with this House what might be the impacts of a reconfigured labour market agreement?

**Hon. Ted McMeekin:** To the Minister of Training, Colleges and Universities.

**Hon. Brad Duguid:** The labour market agreement for persons with disabilities serves a very important role in providing support for persons with disabilities, trying to break down the barriers to employment.

The federal government has announced its intentions to introduce a new generation of this agreement but has not yet put a proposal on the table. Speaker, it is so critical that these changes build on the success of the existing agreement and the programs currently supported.

It’s my hope that the federal government will consider the successes of this agreement when they make these changes. Unfortunately, their approach to the labour market agreement, which funds our most vulnerable workers, would suggest otherwise. That approach, right now, has the federal government cutting 60% of funding

for these very important programs that serve our most vulnerable population. We hope they take a different approach with this new agreement that serves our people with disabilities in this province.

#### AUTOMOBILE INSURANCE

**Mr. Jeff Yurek:** My question is for the Minister of Finance. Minister, I've asked you this question before, and you didn't give me an answer, so I'm going to ask you again. With your 15% auto insurance reduction effort, all of the province's non-standard auto insurance companies have been called in by FSCO and directed to reduce their rates. Of course, non-standard companies insure the worst drivers on the road. They insure people with poor driving records, multiple speeding tickets and, worst of all, those with drunk-driving offences. Are you pleased with rewarding Ontario's worst drivers?

**Hon. Charles Sousa:** I appreciate the question. The member opposite makes reference to the non-standard auto insurance that, in fact, does provide a system of last resort for those individuals with bad driving records. The fact of the matter is, they represent about 1.5% to 3% of the market, and they are not the ones that we're targeting. We're targeting safe drivers; we're targeting and protecting consumers.

The member opposite should be supporting our initiatives to lower premiums for all the consumers in this province who are suffering because of the high costs of claims. An auto fraud task force that has been commissioned by our government over the last number of years is helping us reduce those costs of claims, and that is what we are doing to try to protect consumers in our marketplace.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Jeff Yurek:** Minister, you've missed the target. You've hit Ontario's worst drivers with rate reductions.

This morning, Mothers Against Drunk Driving issued a press release drawing attention to your irresponsible policy. They rightfully say that the biggest benefits in terms of dollars will go to the most dangerous drivers on the roads.

Minister, in your rush to appease the NDP and cling desperately to power, you've implemented a policy clearly without thinking about the consequences. It seems the message you want to send to drunk drivers is, "Don't worry about your high premiums. If we need to pander to the NDP's demands to stay in power, you'll be first in line to get your lower rates."

Now that MADD has come out and exposed the dangers of your price-fixing scheme, will you finally admit that you have not thought through the policy, correct your mistake and implement our four-point plan to reduce rates for good drivers in this province?

*Interjections.*

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

**Hon. Charles Sousa:** The member opposite talks about a plan that they don't have and they've just sort of

done on the fly. We have been at this for a number of years to try and support the nine million consumers—

**Mr. Jeff Yurek:** You're lying. You're lying.

**The Speaker (Hon. Dave Levac):** The member from Elgin–Middlesex–London will withdraw.

**Mr. Jeff Yurek:** Withdraw.

**Hon. Charles Sousa:** Mr. Speaker, our commitment that we've been doing on this side of the House is to bring down rates to Ontario's nine million drivers. The member opposite is spinning, talking about drunk drivers and those who have bad records. They're not the ones who are going to benefit from these initiatives, because they are the worst drivers. There's going to always have to be an insurer of last resort to accommodate them, but they're not benefiting from this.

The ones who are going to benefit are safe drivers, the ones who institute a number of initiatives to bring down their rates. We are going to work with them and the other nine million drivers to bring those rates down for consumers. The member opposite should stand with us on this, and they should support consumers in our province.

1130

#### WINTER HIGHWAY MAINTENANCE

**Mr. Gilles Bisson:** My question is to the Minister of Transportation. Minister, last Friday in Sudbury, quite unfortunately, we had a number of fatalities as a result of accidents on highways in and around Sudbury. We had two people who died as a result of a three-vehicle crash on Highway 17, west of Webbwood, and then we had another person die as a result of a single-vehicle accident on Highway 6 just between Little Current and Espanola.

Considering that you reported to this House, and you reported to myself and other northern members, that you've increased the number of equipment that is on highways, why is it that highways are still being closed in northern Ontario where we never used to see that in the past?

**Hon. Glen R. Murray:** Mr. Speaker, first of all, my heart—and I know that of my colleagues here in the House—goes out to the people who have lost loved ones in a very tragic accident. I think for all of us who live in northern climates with icy winter roads and who have lived in parts of this country where it gets very cold, this is a reality that is all too often and all too tragically part of life. So my prayers and heartfelt thoughts go to the families.

We, as a government, have added 50 different crews in northeastern and northwestern Ontario. It is the largest expansion in the history of Ontario in snow removal and winter maintenance. We have also required now that those companies have to replace all of their equipment at the rate of 10% per year, so that over every decade all equipment will be new. MTO staff are working on stronger reviews and working with municipal leaders.

We have the safest roads and highways in North America with low fatality rates. These investments will,

over this winter, reduce those accident rates, and I have worked with the member opposite and will continue to identify these obstacles and solve them.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Gilles Bisson:** Minister, I'm shocked that you would say it's a reality that people have to die while driving on roads in northern Ontario. That, quite frankly, is not acceptable as an answer.

But I'm going to ask you again. We in northern Ontario want to let you into a little secret: It's been snowing for centuries and for millennia, and for years when we had MTO take care of our highways, we never had conditions of roads as we see them today. Last Friday, we had three fatalities just in the Sudbury area. There was another fatality on Highway 69. The question is, why is it that we're having the amount of road closures and the amount of accidents as compared to before?

So I ask you again, despite the increase of equipment that you announced yet but a few weeks ago, why is it that we are still having some of the worst road conditions as a result of your highway maintenance?

**Hon. Glen R. Murray:** Mr. Speaker, what I said is that icy roads and driving conditions in a northern climate are the reality. I have lost friends in traffic fatalities. I read every single police report that comes forward and I look at the names of everyone who's lost—and I, as a minister, will tell you that safety, for me, for the Premier and for this government, is our single biggest priority.

We have fewer fatalities and accidents and the safest roads in North America. It's better than dry, warm places like Kansas and California, which is quite remarkable. We take every fatality, which means we have maintained the same standards—

*Interjection.*

**Hon. Glen R. Murray:** Mr. Speaker, I think this is serious. I did not interrupt the member opposite. We're talking about people's lives here, and this government takes this quite seriously. For us, it's not politics.

I will be monitoring how those 50 new crews are deployed. I will continue to work with Minister Meilleur to monitor the policing and enforcement, and we will continue to look at every cause and solve every obstacle there is to public safety.

#### LAND USE PLANNING

**Mr. Grant Crack:** My question is to the Minister of Municipal Affairs and Housing. Speaker, the minister was recently in Ottawa holding a land use planning workshop at Carleton University with environmental groups, developers and municipalities, including Ottawa, North Dundas, Renfrew, South Glengarry and Russell, from my own riding of Glengarry–Prescott–Russell. Like many Ontarians, my constituents have numerous questions about how the land use planning and appeal system works and the role of the Ontario Municipal Board. Some find the current process complicated, difficult to navigate and even harder to understand.

Speaker, our government needs to ensure that our planning system works well for municipalities, community groups and developers, while remaining responsive to the challenging needs of our community. Speaker, through you to the minister: Can the minister explain to my constituents and all of Ontarians about how they can get involved in this important review?

**Hon. Linda Jeffrey:** Thank you to the member for the question. I was happy last Thursday, November 21, to join the member from Ottawa Centre as he held and initiated a consultation at Carleton University to discuss our review of the land use planning process. This system gives municipalities the tools to manage growth so that we can all build cities and towns that we want to live in, work in and raise our families in.

But we've heard from municipal leaders from across the province, and from planners, developers and the public, that the rules are sometimes complex and the delays and the appeals are frustrating. That's why our government has held regional workshops in Kitchener–Waterloo; in Ottawa, as I said; in Sault Ste. Marie and Thunder Bay. We're also going to hold one in my riding, in Peel region, on Thursday. In Toronto, we're shortly going to hear from everyday Ontarians on how we can make the system more responsive to Ontario's changing needs.

For those who can't make it in person, you can go to the website. We have a full consultation guidebook that will give everybody a chance to give their suggestions.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Grant Crack:** Thank you, Minister. It's great to hear that our government is focused on giving municipalities the tools they need to be able to plot their own destiny and build a community that works for their residents.

Despite that, Speaker, development, whether it's in Ottawa or Sudbury, Niagara Falls or Windsor, or even Rockland, in my riding of Glengarry–Prescott–Russell, can still be contentious. While many communities are happy to welcome new residents, many are worried that the increased density will mean that strains on schools, infrastructure and highways, and our waste and storm-water systems will be pushed to capacity. They're concerned that these new houses, apartments or stores that are being built—that the current taxpayer will be on the hook for the necessary but expensive upgrades.

Speaker, through you to the minister: Could the minister explain to my constituents how this review of development charges could help my community prepare for potential growth?

**Hon. Linda Jeffrey:** I'd like to thank the member for the question. Communities across Ontario are all experiencing the kinds of changes the member speaks about, that are happening in Ottawa and the surrounding region. Our government has been working with municipalities to ensure that the development doesn't mean that existing taxpayers are on the hook for costs required for new development.

However, we've heard that municipal leaders feel that the current system limits their ability to recover all of the

capital costs for some of their services, and their ability to pay for those vital infrastructure projects. We also heard from developers that they want more accountability and transparency. At the end of the day, I've heard from both groups that they want clarity, accountability and transparency.

At the end of the day, we believe it's time for a refresh and it's time to make sure the development charges system still answers all of the communities' needs across Ontario. So I want to encourage all Ontarians to have their say. I want to hear solid ideas to help us deal with the roots of our challenges. We want all Ontarians to have the tools in hand to plan for their future.

#### ONTARIO DRUG BENEFIT PROGRAM

**Mr. Ted Chudleigh:** To the Minister of Health: Minister, the day you determined that Ontario's health care system doesn't include Kimm Fletcher, the people of Ontario responded with their characteristic generosity and voted with their donations to help fund Kimm's prescribed medication, Avastin, which your Committee to Evaluate Drugs refused to list for OHIP coverage. I'm happy to say that despite your committee's obviously ill-advised conclusions, Kimm Fletcher's condition is responding to the drug, and a recent MRI shows that her tumour has stopped growing.

Minister, do you feel any remorse over your inaction on Kimm Fletcher's case in that the people of Ontario have taken it upon themselves to do your job?

*Interjections.*

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

Minister?

**Hon. Deborah Matthews:** Well, first let me say that I am delighted that Ms. Fletcher is seeing improvement. That is wonderful, and I am very, very pleased with that.

The second thing I want to say is there are cases where government does not fund certain drugs, for lack of evidence, and the community does come together, because they collectively do want to support that, even though it would not be prudent for government to fund it, for lack of evidence.

So I do congratulate the people of Milton and other people in this province who do come together to give people the hope they need for access to a drug that may not yet be proven but is still important to the family. I know that many people on all sides of this House have, in fact, participated in fundraisers for members in their community where the government is simply not in a position to fund that particular procedure.

**The Speaker (Hon. Dave Levac):** Supplementary?

**Mr. Ted Chudleigh:** Minister, you speak of an Ontario I'm not familiar with. Kimm is not a one-off.

Jay is a young teenager who needs an eye operation, coverage for which he has been denied, even though the operation will save his sight. Norma has IPF, idiopathic pulmonary fibrosis, and needs the drug Esbriet in order

for her to have any quality of life. She has also been denied.

Minister, when will you stop letting your Committee to Evaluate Drugs classify you as missing in action when it comes to assisting Kimm, Jay and Norma, who have become victims of your irresponsible, hands-off approach to health care in Ontario? When are you going to remedy the situation that they and their families are facing, and indeed, all Ontarians may one day face? When, Minister? When will we have a Minister of Health back in Ontario?

**Hon. Deborah Matthews:** My question to the member opposite is, when will we have a little intellectual honesty when it comes to the petitions that he is raising? The petition that the member reads every day is factually false. He reads from the Committee to Evaluate Drugs, but he fails to say, however, that "The committee noted that using historical estimates of survival as the basis for comparison is not reliable because treatment standards have evolved and historical rates are derived from studies that used older, less effective treatments."

I think the member opposite owes it to the people he purports to represent to tell the truth and the whole truth.

#### DEFERRED VOTES

##### SCHOOL BOARDS COLLECTIVE BARGAINING ACT, 2013 LOI DE 2013 SUR LA NÉGOCIATION COLLECTIVE DANS LES CONSEILS SCOLAIRES

Deferred vote on the motion for second reading of the following bill:

Bill 122, An Act respecting collective bargaining in Ontario's school system / Projet de loi 122, Loi concernant la négociation collective dans le système scolaire de l'Ontario.

**The Speaker (Hon. Dave Levac):** Call in the members. This will be a five-minute bell.

*The division bells rang from 1142 to 1147.*

**The Speaker (Hon. Dave Levac):** Will members take their seats, please? Would all members take their seats, please? All members, take your seats, please.

On October 30, 2013, Ms. Sandals moved second reading of Bill 122. All those in favour, please rise one at a time and be recognized by the Clerk.

#### Ayes

Albanese, Laura	Forster, Cindy	Miller, Paul
Armstrong, Teresa J.	Fraser, John	Milloy, John
Balkissoon, Bas	Gerretsen, John	Moridi, Reza
Bartolucci, Rick	Gélinas, France	Murray, Glen R.
Berardinetti, Lorenzo	Gravelle, Michael	Naqvi, Yasir
Bisson, Gilles	Hatfield, Percy	Natyshak, Taras
Bradley, James J.	Horwath, Andrea	Oraziotti, David
Cansfield, Donna H.	Hoskins, Eric	Piruzza, Teresa
Chan, Michael	Hunter, Mitzie	Prue, Michael
Chiarelli, Bob	Jaczek, Helena	Qaadri, Shafiq
Colle, Mike	Jeffrey, Linda	Sandals, Liz
Coteau, Michael	Kwinter, Monte	Sattler, Peggy



Crack, Grant  
Damerla, Dipika  
Del Duca, Steven  
Delaney, Bob  
Dhillon, Vic  
Dickson, Joe  
DiNovo, Cheri  
Duguid, Brad  
Fife, Catherine  
Flynn, Kevin Daniel

Leal, Jeff  
MacCharles, Tracy  
Mangat, Amrit  
Mantha, Michael  
Marchese, Rosario  
Matthews, Deborah  
Mauro, Bill  
McMeekin, Ted  
McNeely, Phil  
Meilleur, Madeleine

Schein, Jonah  
Singh, Jagmeet  
Sousa, Charles  
Tabuns, Peter  
Taylor, Monique  
Vanthof, John  
Wong, Soo  
Wynne, Kathleen O.  
Zimmer, David

## INTRODUCTION OF VISITORS

**Mr. Percy Hatfield:** I'd like to introduce a friend of mine who is making his way here this afternoon. Peter Fries is a professor of automotive engineering at the University of Windsor. He's also the scientific director and CEO of Auto 21, which is Canada's national automotive research network. And, Speaker, you'll be delighted to know he is a former page. In fact, in 1971, his group of pages were in the last sitting of the Robarts government, the first sitting of the Davis government, and it was the first group of pages to have girls amongst their members.

Welcome to Queen's Park.

**The Speaker (Hon. Dave Levac):** The Minister of Consumer Services.

**Hon. Tracy MacCharles:** Oh, thank you, Speaker. They are in the building somewhere. Unfortunately, I didn't get to acknowledge the students from Cardinal Leger Catholic School in Pickering-Scarborough East this morning. It's great to have them here at the Ontario Legislature today.

**Ms. Cheri DiNovo:** In the same vein, I didn't get to acknowledge the students from St. Cecilia, who came and sang beautifully—I heard some of it. I just want to thank them for their presence.

**The Speaker (Hon. Dave Levac):** I'm glad that the members have found a way, during introductions, to do the non-introductions. It's very good.

Member from Scarborough-Guildwood.

**Ms. Mitzie Hunter:** Speaker, I notice that in the gallery today is my friend Dr. Catherine Chandler-Crichlow, from the Toronto Financial Services Alliance. I'd like to welcome her to the House.

**The Speaker (Hon. Dave Levac):** We welcome all our guests.

Further introductions? The member from Prince Edward-Hastings.

**Mr. Todd Smith:** Thank you, Mr. Speaker. I'm just trying to remember them off the top of my head here, which is always dangerous, as you know.

I would like to welcome some people from the Quinte Economic Development Commission who are here, and they have the big CME reception after. Chris King is in attendance today, as is Chuck O'Malley. Ted Reid is the chair of the board. I believe Mike Hewitt is here as well, and Derrick Morgan is visiting—all from the Quinte Economic Development Commission.

Thank you very much, Mr. Speaker. I got them all.

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

**Mr. Michael Prue:** It's my privilege to introduce Mr. Brian Graff from the riding of Beaches-East York. He is here today to watch the introduction of a bill.

**Hon. Michael Coteau:** It's my pleasure to welcome the recipients of the Ontario Award for Leadership in Immigrant Employment, our guests here. We have Marion Annau from Connect Legal; Mario Longo, Christina Campbell and Leslie Rodgers from Mount Sinai Hospital; and Catherine Chandler-Crichlow from

**The Speaker (Hon. Dave Levac):** All those opposed, please rise one at a time and be recognized by the Clerk.

### Nays

Arnott, Ted  
Bailey, Robert  
Barrett, Toby  
Chudleigh, Ted  
Clark, Steve  
Fedeli, Victor  
Hardeman, Ernie  
Hillier, Randy  
Holyday, Douglas C.  
Hudak, Tim  
Jackson, Rod

Jones, Sylvia  
Leone, Rob  
MacLaren, Jack  
McDonell, Jim  
McKenna, Jane  
McNaughton, Monte  
Miller, Norm  
Milligan, Rob E.  
Munro, Julia  
Nicholls, Rick  
O'Toole, John

Ouellette, Jerry J.  
Pettapiece, Randy  
Scott, Laurie  
Shurman, Peter  
Smith, Todd  
Thompson, Lisa M.  
Wilson, Jim  
Yakabuski, John  
Yurek, Jeff

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 65; the nays are 31.

**The Speaker (Hon. Dave Levac):** I declare the motion carried.

*Second reading agreed to.*

**The Speaker (Hon. Dave Levac):** Shall the bill be ordered for third reading?

Minister of Education.

**Hon. Liz Sandals:** Speaker, I would ask that the bill be referred to the Standing Committee on the Legislative Assembly.

**The Speaker (Hon. Dave Levac):** So ordered.

The Minister of Energy, on a point of order.

### CORRECTION OF RECORD

**Hon. Bob Chiarelli:** Mr. Speaker, I'd like to correct the record on my response to the member from Nepean-Carleton. The rate-based costs of the relocated gas plants are included in the long-term energy plan, to commence when the plants are commissioned.

**The Speaker (Hon. Dave Levac):** The minister is correct: All members have an opportunity to correct their record, and he had a point of order.

**Ms. Lisa MacLeod:** Point of order, Speaker.

**The Speaker (Hon. Dave Levac):** Point of order, the member from Nepean-Carleton.

**Ms. Lisa MacLeod:** I have been informed by some members of the Ontario Progressive Conservative caucus that they were not given a copy of the Liberals' long-term energy plan. I wonder if the minister could provide that to the members of this House.

**The Speaker (Hon. Dave Levac):** That's not a point of order.

There are no further deferred votes. This House stands recessed until 3 p.m. this afternoon.

*The House recessed from 1152 to 1500.*

the Centre of Excellence in Financial Services Education. Welcome to the Ontario Legislature.

## MEMBERS' STATEMENTS

### JOHN ZIVCIC

**Mr. Steve Clark:** As the Ontario PC critic for community safety and correctional services, I rise on behalf of our caucus and our leader, Tim Hudak, to extend our heartfelt condolences to the family and colleagues of Toronto police constable John Zivcic. Just 34, Constable Zivcic died yesterday from injuries suffered in a tragic on-duty collision. An officer with the Toronto Police Service, 22 Division, he was responding to an emergency call for an impaired driver. His death is a stark reminder of the risk that police officers and all emergency responders take every day by putting on their uniform. Brave women and men like Constable Zivcic put their lives on the line to keep us and those we love safe from harm.

He was a six-year veteran of the Toronto force. He was an outstanding officer who had always made a strong impression with his fellow officers and superiors. A former shift supervisor described him as "larger than life.... He was always the first one at the call.... You could always count on him to be there."

An anecdote from a Toronto Star article speaks volumes about who Constable Zivcic was. While vacationing in Cuba, the always-on-duty-officer side of him stopped to assist at a motorcycle accident, and his human compassion side compelled him to help pay the victim's medical expenses. That combination made Constable Zivcic a great officer and an even better person.

I join all Ontarians in mourning the loss of Constable John Zivcic and thanking his family for sharing him with us.

### VIOLENCE AGAINST WOMEN

**Mr. Jonah Schein:** On December 6 across Canada, we remember the day in 1989 when 14 young women were murdered at the École Polytechnique in Montreal. It's a time to reflect on that tragic day and it's an important reminder of the violence that women experience every day in this country.

Half of all women in Canada will experience at least one incident of physical or sexual violence in their lifetime. Women are 11 times more likely than men to be a victim of sexual offences and three times more likely to be the victims of criminal harassment. Speaker, these numbers are shocking and this reality is totally unacceptable.

Too many women know this violence first-hand, whether it's on our streets, in their workplaces or in their homes. So it's incumbent on men in this province to take responsibility for our own actions and the actions of our peers and to speak up against violence, sexism and

misogyny in our communities and in our culture. And it's incumbent upon us as politicians to advocate for public policies and laws that address this violence.

We know that policies that create affordable housing, child care and safe shelters; investments in public transit, public education and income security programs; and enforcement of employment standards make us a stronger and fairer society. It's cuts to these programs that put vulnerable members of our communities at greater risk of violence.

I ask for us to reflect today on this tragedy and to re-commit ourselves to creating a world where our mothers, daughters, sisters, partners, colleagues and friends do not need to fear.

### VOLUNTEERS

**Ms. Helena Jaczek:** It is always a pleasure to talk about all the great work the volunteers in our communities do and how they improve our quality of life.

Over the last two weekends, I've had the opportunity to celebrate the beginning of the holiday season with my constituents at both the Richmond Hill and Markham Santa Claus parades. The Richmond Hill Santa Claus Parade, organized by the town of Richmond Hill, was held on November 24, and this past Saturday, I had the opportunity to participate in the 41st Markham Santa Claus Parade, presented by the Rotary Club of Markham-Unionville and the Rotary Club of Markham Sunrise.

I want to commend the hard work of the many volunteers at both parades. This is truly a massive undertaking for so many people. What truly impressed me was how both parades gave back to the community. At the Richmond Hill parade, where the theme was "Once Upon a Christmas," volunteers collected canned goods and other essential items for the Richmond Hill food bank, while the Markham parade featured a toy drive for Yellow Brick House, a women's shelter that does fantastic work in York region. It is no surprise, Speaker, that the theme of the Markham parade was "Goodwill unto Others."

In the spirit of the holiday season, I would encourage all members of the House to keep this theme in mind for the remainder of our session.

### MOE RACINE

**Mr. Jim McDonell:** They say good things come to those who wait. Well, for Moe—Maurice—Racine from Cornwall, in my riding of Stormont—Dundas—South Glengarry, that stands true.

The Ottawa Rough Riders legend Moe "The Toe" will be inducted into the Canadian Football Hall of Fame, the class of 2014. Moe won four Grey Cups while appearing in five title games and was a four-time all-star as an offensive lineman and kicker for the Ottawa Rough Riders, winning the 1966 CFL scoring title. He only missed nine games over a 17-year career in Ottawa and holds the franchise record by playing in 213 regular season games. He finished his career with 392 points, not

bad considering that he spent the final seven years of his career as strictly an offensive lineman.

Moe's number 62 was retired by the Rough Riders, and he is one of only three linemen to have that honour bestowed upon him.

As Cornwall's most famous football son, Moe was inducted in the Cornwall Sports Hall of Fame in 1968 and later in the Ottawa Sports Hall of Fame in 1984. But he is now rightfully being recognized at the national level for his induction into the Canadian Football Hall of Fame.

1510

Moe and his wife, Donna, are spending their retirement years in Cornwall, fondly loved by their community, their four children—Thom, Scott, Lee Ann and Bruce—and six grandchildren.

Congratulations, Moe "The Toe."

### TIBETAN IMMIGRANTS

**Ms. Cheri DiNovo:** Many of you know that I have one of the largest Tibetan communities, in my riding of Parkdale–High Park, anywhere outside of Nepal and outside of India. You've also seen me rise, often in Tibetan dress, here to talk about the horrors of the occupation in Tibet. Those still continue. Over 120 Tibetans have self-immolated; the picture of His Holiness the Dalai Lama is not allowed to be shown; their language is not allowed to be spoken etc.

But today I stand with some good news, because last week the first 17 Tibetans of an estimated 1,000 that have been allowed in by the federal government, under a promise that was made to His Holiness the Dalai Lama when he was here in Canada the last time, were allowed to come in as permanent residents from India. This is the first time in two generations that this has been allowed to happen. So there's great celebration and jubilation at the Tibetan Canadian Cultural Centre.

We look forward to welcoming even more Tibetans over the course of the next little while, sponsored by loving Canadians and Tibetan families.

We are extremely thankful for this opportunity—a very welcome addition to our community.

### SMALL BUSINESS

**Ms. Mitzie Hunter:** It is my pleasure to rise in the House today and talk about growing small businesses and creating jobs for youth. This past Friday, I had the opportunity to host a forum for small businesses in my riding of Scarborough–Guildwood. The focus of the forum was to bring local businesses together to discuss the youth employment fund and how the fund can help grow businesses and create jobs for youth in Scarborough–Guildwood.

Over 75 businesses and five local employment agencies were present. We were also joined by my colleague the Minister of Training, Colleges and Universities. Local businesses in Scarborough–Guildwood like Esthetic Hair, I Fix You PC, West Hill Optical, and

Sparkling Green Cleaning Services had a chance to network with each other, while gaining information to grow their businesses. It was a fantastic opportunity to connect with the local businesses as well as to connect the agencies and resources.

We also had the opportunity to hear a success story from a young person named Brandon Russell, who, through working with PCPI, a local employment agency, is now gainfully employed at Shoppers Drug Mart.

Since the forum, many local business owners have called my constituency office to let us know that the forum was very helpful, in terms of giving them the tools they need to move forward and to take advantage of the fund.

With the participation of different parts of the Scarborough–Guildwood community in a forum like this, I know that we can grow small businesses and create jobs and opportunities for youth in our community.

### ONTARIO NORTHLAND

**Mr. Victor Fedeli:** Speaker, this government continues to use Ontario Northland as a political pawn. They've left 1,000 employees, their families and the communities in which they live in limbo for nearly two years now, and that's still the case today, no matter what wiggle words the Liberals may be using now.

The Auditor General's report on the Liberals' fire sale scheme is due out soon, hopefully next week, but they've known what's in it all along. The gas plant scandal documents show the Liberals would not save \$265 million, as they put in the budget, but would, rather, cost the taxpayers \$790 million.

A change in language isn't the same as a change in direction. It's time the Liberals put their cards on the table, as we did in the Ontario PC northern white paper, and lay out a real plan for Ontario Northland and the Ring of Fire.

I believe the best way to ship ore is by rail, and Ontario Northland is already in the rail business.

Speaker, northerners have self-respect and dignity. We will not roll over like trained seals to clap every time the government decides to change a word, or fawn over the minister's new, sudden-found benevolence. We will not settle for the table scraps that this government arbitrarily decides to pass out. The gas plant scandal has shown us that the Liberals will go to any lengths to dupe Ontarians if it's in their political interest.

### ST. CLAIR WEST SERVICES FOR SENIORS

**Mrs. Laura Albanese:** I am happy today to recognize the services to my community provided by St. Clair West Services for Seniors, which recently celebrated their 40th anniversary. For four decades, they have provided valuable, innovative and caring support services to older and disabled adults who wish to maintain their quality of life while living in their own homes.

Since 1973, the organization has provided dignity and respect to local seniors by providing a number of important services, including adult day services, case management, home help, Meals on Wheels, respite care, supportive housing and transportation, in a variety of different languages.

It is inspirational how this group has grown from a handful of local churches running a Meals on Wheels program to today employing 90 staff with 35 placement students and over 250 volunteers serving nearly 2,000 clients and participants in our diverse community of York South–Weston.

I am proud that the government of Ontario provides support to St. Clair West Services for Seniors through the Central and Toronto Central LHINs and the Ontario Trillium Foundation to help them help the community.

I extend my congratulations and thanks today to St. Clair West Services for Seniors for all the work they have done in the community and wish them the best of success for the future as they work to support local seniors.

#### AUTO GUYS

**Mr. Jeff Yurek:** I'd like to take this opportunity to recognize Lynda Groom and Bob Ward, owners of Auto Guys in St. Thomas. Auto Guys is a family owned and operated automotive service centre which has served the community of St. Thomas with distinction for over 30 years.

A month ago, they entered a tire recycling drive competition with 28 other businesses from across the province. The competition, organized jointly by CAA and the Ontario Tire Stewardship, put up a \$20,000 grand prize to be contributed to a local school for things like new playground equipment and landscaping.

Last year, all 19 teams involved in the competition collected 1,235 tires. I'm pleased to learn this morning that Auto Guys alone collected 2,235 tires, far surpassing the other competitors. The \$20,000 grand prize will go to Elgin Court Public School to enhance the school's playground equipment and landscaping.

I want to congratulate Lynda and Bob on their latest success and thank them for their continued commitment to making our community a better place.

### INTRODUCTION OF BILLS

#### CHILD CARE MODERNIZATION ACT, 2013

##### LOI DE 2013 SUR LA MODERNISATION DES SERVICES DE GARDE D'ENFANTS

Mrs. Sandals moved first reading of the following bill:  
Bill 143, An Act to enact the Child Care and Early Years Act, 2013, to repeal the Day Nurseries Act, to amend the Early Childhood Educators Act, 2007 and the Education Act and to make consequential amendments to other Acts / Projet de loi 143, Loi édictant la Loi de 2013 sur la garde d'enfants et la petite enfance, abrogeant la Loi sur les garderies, modifiant la Loi de 2007 sur les

éducatrices et les éducateurs de la petite enfance et la Loi sur l'éducation et apportant des modifications corrélatives à d'autres lois.

**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.

**Hon. Liz Sandals:** I'll make my statement during ministerial statements, Speaker.

#### PLANNING AMENDMENT ACT (EXTENSION OF TIMELINES), 2013

##### LOI DE 2013 MODIFIANT LA LOI SUR L'AMÉNAGEMENT DU TERRITOIRE (PROROGATION DE DÉLAIS)

Mr. Prue moved first reading of the following bill:

Bill 144, An Act to amend the Planning Act to extend certain timelines / Projet de loi 144, Loi modifiant la Loi sur l'aménagement du territoire pour proroger certains délais.

1520

**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. Michael Prue:** The bill extends certain timelines under the Planning Act.

Subsection 17(40) of the act currently provides for an appeal to the Ontario Municipal Board if the approval authority fails to give notice of a decision in respect of all or part of a plan within 180 days after receipt of the plan. The bill extends the timeline to 365 days.

Subsection 34(11) of the act currently provides for an appeal to the Ontario Municipal Board if council refuses an application for an amendment to a bylaw passed under this section or a predecessor section, or refuses or neglects to make a decision on it within 120 days after receipt of the application. The bill extends the timeline to 365 days.

Subsection 45(4) of the act currently requires the committee of adjustment to hold a hearing within 30 days after receipt of an application under subsection 45(1). The bill extends the timeline to 90 days.

Mr. Speaker, I would be remiss if I did not thank Mr. Graff for the idea.

#### HIGHWAY TRAFFIC AMENDMENT ACT (HELMET EXEMPTION FOR SIKH MOTORCYCLISTS), 2013

##### LOI DE 2013 MODIFIANT LE CODE DE LA ROUTE (EXEMPTION DE L'OBLIGATION DE PORT DU CASQUE POUR LES MOTOCYCLISTES SIKHS)

Mr. Singh moved first reading of the following bill:

Bill 145, An Act to amend the Highway Traffic Act to exempt Sikh motorcyclists from the requirement to wear a helmet / *Projet de loi 145, Loi modifiant le Code de la route pour exempter les motocyclistes sikhs de l'obligation de porter un casque.*

**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. Jagmeet Singh:** Section 104 of the Highway Traffic Act requires a person riding or operating a motorcycle or a motor-assisted bicycle on a highway to wear a helmet. The bill exempts members of the Sikh religion who have unshorn hair and who habitually wear turbans from the section 104 requirement of the act to wear a helmet. This would keep us in line with what's happening in the United Kingdom, as well as in Manitoba and British Columbia, and would ensure legislative protection for an article of faith for the Sikh community.

**The Speaker (Hon. Dave Levac):** Motions? The Minister of Rural Affairs.

**Hon. Jeff Leal:** I seek unanimous consent to put forward a motion without notice regarding Bill 111.

I move that, when the order for second reading of Bill 111, the Modernizing Regulation of the Legal Profession Act, 2013, is next called, the question shall be put immediately, without further debate or amendment; and,

Should Bill 111 receive second reading, the bill shall be ordered for third reading, which order shall immediately be called and the question put without further debate or amendment.

**The Speaker (Hon. Dave Levac):** The minister has moved unanimous consent to put forward a motion without notice. Do we agree? I heard a no.

## STATEMENTS BY THE MINISTRY AND RESPONSES

### CHILD CARE

**Hon. Liz Sandals:** Child care is a key part of the early years system, and it plays a critical role for Ontario's families, communities and the economy. Today, I am pleased to introduce the Child Care Modernization Act, which you will be relieved to know is what we're going to call it, rather than the 10-line-long title that's the legal title.

The Child Care Modernization Act, if passed, will modernize and build a high-quality child care and early years system that is more responsive to parents, and children's needs.

Our government has already taken a number of steps in this area. For example, last year we implemented a new child care funding formula that is based on current demographics and population trends. We've developed an early years policy framework that provides a vision

and strategic direction for programs and services for children up to six years of age. And we're implementing full-day kindergarten, which will serve approximately 265,000 children annually by next fall.

While we've made improvements to the current early years system, the legislation that regulates the child care sector hasn't changed fundamentally since the 1980s. But the world around us has changed. That is why we are taking the next steps to repeal and replace the old Day Nurseries Act.

The proposed legislation I am introducing today would help transform the child care and early years system to better meet the needs of the parents who use and rely on the system and the children who are placed in its care.

The current legislation that governs child care, the Day Nurseries Act, was enacted in 1946 and has not been comprehensively updated since 30 years ago, in 1983. It does not reflect the current needs of our children and parents, which is why we need to take action.

The proposed legislation would not only enhance safety but also foster the learning, development, health and well-being of Ontario's children.

If passed, the Child Care Modernization Act would provide the government with greater enforcement tools, including the authority to issue administrative penalties of up to \$100,000 per infraction by a provider. It would also increase the maximum penalty for a successful prosecution of offences in the courts from the current \$2,000 to \$250,000.

It would also increase access to spaces in licensed home child care settings by increasing the number of children that licensed home child care providers can care for, from five to six. If all current licensed home child care providers took on one additional space, they would create approximately 6,000 new child care spaces in Ontario.

The act would also clarify what programs or activities are exempt from requiring a licence, including care provided by relatives, babysitting, nannies, and camps that provide programs for school-age children.

It would also remove the current exemption that allows some private schools to care for more than five children under the age of four without a licence.

The act would also amend the Education Act to meet our commitment to offer before- and after-school programs for six- to 12-year-olds, where there is sufficient demand by parents. Programs could be delivered directly by boards, by third-party child care providers, or by authorized recreation providers.

Ontario is already a leader in publicly funded education, having made great progress in student achievement. This legislation would, if passed, build on our progress and position Ontario to become a future leader in child care and early years services.

Speaker, the proposed legislation establishes a foundation for a more responsive, high-quality and accessible child care and early years system for children and families in Ontario. This new legislation is an essential

next step in modernizing our child care sector, and the next step to a better future for Ontario's children.

I look forward to having every member of this House support this very important bill.

#### ACCESSIBILITY FOR THE DISABLED

**Hon. Eric Hoskins:** Mr. Speaker, the United Nations has designated December 3 as the International Day of Persons with Disabilities. On this day, nations around the world pause to reflect on the physical, social, economic and attitudinal barriers that exclude persons with disabilities from participating as equal members of society.

1530

Ontario has made a commitment to make the province fully accessible by 2025, the first province in the country to do so. In fact, Ontario was the first jurisdiction in the world to move to a modern regulatory regime that mandates accessibility. In 2005, the Accessibility for Ontarians with Disabilities Act, or the AODA, came into force with unanimous support from all parties in this Legislature.

This year, our government's speech from the throne transferred the Accessibility Directorate of Ontario to my ministry, the Ministry of Economic Development, Trade and Employment. With this transfer, our resolve to make our province accessible and inclusive continues with determination. As the minister responsible for the Accessibility for Ontarians with Disabilities Act, one of my top priorities is to ensure that all Ontarians living with a disability have barriers to employment opportunities removed and that all workplaces become inclusive.

By moving the accessibility directorate to my ministry, we have an unprecedented opportunity and responsibility to engage with business, not only to ensure that they're complying with the AODA—which, in fact, by law they are required to—but also to make the business case for greater accessibility and broader inclusion.

Mr. Speaker, one in seven Ontarians has a disability, and that number is growing both here and around the world. Businesses will benefit by opening themselves up to a new and growing base of consumers. Complying with the AODA makes good business sense, but from my interactions with business, I can tell you that it's about more than just that; it's about the values we all share, namely, a more inclusive society.

We're helping our businesses across the province know what they must do to ensure that they are complying with the Accessibility for Ontarians with Disabilities Act. We're investing in a much more robust awareness and marketing campaign so that more businesses are aware of what their obligations are under the AODA and how they can get there.

And we are enforcing the AODA. Currently, the Ontario public service and 100% of the broader public sector are complying with their requirements under the AODA. But unfortunately, the same cannot be said of the private sector, where only approximately 30% have met their reporting requirements.

My ministry continues to pursue enforcement to bring more private sector organizations in compliance with this important piece of legislation. Last month, we sent out 2,500 enforcement letters to non-compliant businesses. We will continue to work hard—including through audits and inspections and, if required, fines and the court system—to improve our private sector compliance. We have an enforcement plan and we will implement it.

To encourage more businesses to take the lead, we are creating opportunities to spotlight the good work that businesses are doing to become more accessible. Earlier last month, I had the privilege to present a new award that we created this year for excellence in accessible employment through the Ontario Business Achievement Awards. That award this year, the very first award, went to Cohen Highley Lawyers, a law firm with locations in London, Kitchener, Sarnia and Chatham, who are leaders in the province in creating an accessible workplace.

Recognizing that we still have a long way to go in making our workplaces more accessible, together with the business community and accessibility advocates, I've directed my ministry to develop and publish an employment strategy to remove barriers for persons with disabilities in the workforce and create an inclusive environment in the workforce for employment of persons with disabilities.

We are taking action, Mr. Speaker, because we know that there is much more work to be done to achieve our common goal of an accessible province by 2025. We know that our results—I know that our results—to date aren't good enough, but those results only motivate us to do better, to work even harder with our colleagues in the accessibility and business communities to meet our goals and create a province that is inclusive for all.

To advise and support our plan to become an accessible province by 2025, we've established a combined Accessibility Standards Advisory Council/Standards Development Committee. It draws on a diverse membership from across our province's disability community, from business, the broader public sector, and not-for-profit organizations. The committee's first order of business is to review Ontario's customer service standard.

To keep the province on target and to accomplish our ambitious goals, I have appointed Mayo Moran, Dean, and James Marshall Tory, professor of law, at the University of Toronto, to lead the second review of the Accessibility for Ontarians with Disabilities Act. Dean Moran has joined us today here in the Legislature.

Dean Moran will consult with the public as well as with important stakeholders in our disability and advocacy communities, businesses and the broader public sector, to ensure that we're taking advantage of all opportunities to make our province more inclusive.

Ontario will also have an opportunity to demonstrate how much we've accomplished in building an accessible province when we welcome the world to the Pan Am/Parapan Am Games in 2015. That year, we will also be celebrating the 10th anniversary of the Accessibility for Ontarians with Disabilities Act. We will have a real

opportunity for the games—in fact, the first fully accessible games—to leave a lasting legacy when it comes to a more accessible province. We will seize that opportunity.

Today, on the International Day of Persons with Disabilities, I ask all members of the House to consider just how much Ontario has achieved on accessibility over the past several years, but also on the things we still must accomplish together.

I'm proud to recognize the strong advocates that we have here in the House today to hear this statement. Our AODA reviewer, as I mentioned, Dean Mayo Moran; Dean Walker, from our Accessibility Standards Advisory Council, the ASAC; Abidah Lalani from the Multiple Sclerosis Society of Canada; and Janet McMaster from the Ontario March of Dimes are joining us today.

I also want to thank today's interpreter, Sharon Hepner.

I also want to particularly acknowledge my colleague to my right, Tracy MacCharles, for her tremendous and ongoing contribution to helping to create an inclusive Ontario and advocating so strongly on behalf of persons with disabilities.

Mr. Speaker, I thought it was important to invite members of the accessibility community and their colleagues to this statement so that I could commit to them, to this House and to all Ontarians with disabilities that we will make this province fully accessible by 2025. We will deliver on our shared goal of a fully accessible and inclusive society.

I look forward to continuing to work with them and with all members of this House to achieve that important goal.

#### ONTARIO AWARD FOR LEADERSHIP IN IMMIGRANT EMPLOYMENT

**Hon. Michael Coteau:** I rise today to recognize the first recipients of the Ontario Award for Leadership in Immigrant Employment. Our government created this award to acknowledge the important role that employers play in the success of newcomers and the economic growth of our province.

It has been a very exciting year for new and prospective Ontarians as we continue to implement our government's immigration strategy. We've reached some milestones and have laid the groundwork to meet many more in the months to come.

If I had to give this year a theme, it would be job creation. Over the past several months, I have been travelling the province in partnership with the Ontario Chamber of Commerce to speak with employers about immigration policies and their hiring practices. It has given me a better understanding of the needs and challenges that Ontario employers face, and it has given me insight into what is needed to find the right approaches for our diverse communities.

The message from those consultations is that employers need all levels of government to make the process as

smooth as possible when hiring the best and the brightest. Through the various pillars of the immigration strategy, we are doing our part. Our government is committed to ensuring that newcomers and their families receive the training and supports necessary to be successful here in Ontario.

But it's ultimately employers who put the talents of newcomers to work. So to recognize the good work that is already under way in the province, we created the Ontario Award for Leadership in Immigrant Employment. Five outstanding recipients from across the province received the award this year at the Ontario Economic Summit.

Marion Annau was recognized in the champion category as the founder of Connect Legal in Toronto, the first legal services clinic of its kind in Canada. It has helped over 1,000 low-resource small business owners get started through one-to-one legal advice and inter-active workshops.

WIL Employment was also honoured in the champion category. Since 1984, WIL Employment has been helping immigrants achieve success in London, Ontario, by helping them find opportunities and adapt to changing expectations in the workplace. They leverage their broad scope and community connections to provide personalized help to the clients they serve, which also has a direct impact on the community at large.

Diversity Communications took home an award in the employer category for connecting Canadians and global brands with a growing number of ethnic consumers in Canada. Based in Thornhill, almost the entire team is first-generation immigrants, and the company invests its resources towards hiring, training and retaining its employees.

Joseph Ng was recognized in the entrepreneur category, as the founder of JNE Consulting Ltd., a full-service, multidisciplinary engineering firm in Hamilton that serves a wide range of industries. His group of companies employs hundreds of professionals, many of whom are new Canadians.

Mount Sinai Hospital was also selected in the employer category, as an employer of a diverse team of nurses, physicians and clinicians, which serves the diverse Toronto community. They support their staff through mentorship, training and strategic partnerships, so that their patients benefit from culturally sensitive, expert care.

Representatives from the hospital are here in the gallery today. Welcome. Let's give them a big round of applause.

Mr. Speaker, these champions of immigrant success in the workplace are vital to building a stronger economy. They are innovators and job creators. These are organizations that look beyond origin and recruit based on attitude, drive and skill.

It gives me great pleasure to celebrate employers who are making the most of the province's diverse workforce. They support our government's economic plan to invest in people, build modern infrastructure and support a dynamic and innovative business climate.

These employers are a model for others to follow for the continued growth and prosperity of Ontario's economy and society. I am happy to hold them up as examples and to share their successes here today with my colleagues here in the Ontario Legislature.

**The Speaker (Hon. Dave Levac):** It is now time for responses.

#### CHILD CARE

**Mr. Rob Leone:** The safety of our children is one of our number one concerns in the PC caucus. I want to thank the minister for bringing forward legislation that will ensure that children's safety is a primary concern, but I have to say that she's late to the game.

The reality is that the minister was either unaware or didn't really care about the concerns that were raised earlier this summer about the limitations of her child care policy. Five months later, we finally have a piece of legislation to deal with these concerns.

The ministry failed to answer 25 of 448 complaints made about unlicensed day cares between January 1, 2012, and July 12, 2013, by the minister's own admission. She failed to follow up with site visits for 24 complaints—18 of which were in Barrie, which includes Vaughan; two in London; and four in Ottawa—until this year.

We're thankful that the minister has finally brought forward some legislation to deal with these matters, but we're very concerned about the time it has taken to do that.

#### ACCESSIBILITY FOR THE DISABLED

**Ms. Sylvia Jones:** It's an honour to rise today on behalf of the PC caucus and respond to the minister's statement on the International Day of Persons with Disabilities.

But what would have made this day memorable, what would have made this day special, is if the Premier could have stood up and finally issued that apology to the survivors of the Huronia Regional Centre.

After many, many months of legal delays, on September 17 the Ontario government reached a \$35-million settlement with the survivors of the Huronia Regional Centre. The settlement was the result of a large lawsuit centred around abuse suffered at the facility.

As part of that settlement in September, the Ontario government was supposed to also issue a formal apology to all former residents, but, to date, that has not happened. Today would have been a perfect day to do that.

I want to share with the members of the House an excerpt from a letter written by one of the Huronia survivors:

"We want Kathleen Wynne to give the apology to all of us in person because she is responsible.... Once the government apologizes to us, then we can move on with our lives because the whole apology will help. We will be satisfied for getting the apology from her."

Speaker, I think the best way for this government to mark the International Day of Persons with Disabilities would be to finally apologize to all of those individuals with disabilities who suffered so terribly for so many years in the Huronia Regional Centre.

#### ONTARIO AWARD FOR LEADERSHIP IN IMMIGRANT EMPLOYMENT

**Mr. Todd Smith:** I rise today to recognize five great employers that the province has chosen as leaders in immigrant employment.

What this award fundamentally touches on is what brings many immigrants to Ontario every year. They arrive here with a fundamental belief that a better life for their families can be built right here in Ontario.

These awards celebrate the entrepreneurial spirit of many of Ontario's communities of new Canadians. Ontario remains the most multicultural, diverse society in Canada, with a proud legacy of tolerance and religious freedom.

This year's awards, the first of their kind, celebrate employers from the Toronto area, Hamilton and London who have been exemplary champions of diversity in the workplace.

Marion Annau of Connect Legal in Toronto, and Dyversity Communications of Thornhill, were winners in the "small organization" category. In the "large organization" category, awards were presented to WIL Employment, which has been helping new Canadians find jobs in the London area since 1984, and Mount Sinai Hospital here in Toronto, which employs one of the most diverse medical staffs in the world.

In the entrepreneurial category, Joseph Ng and his engineering firm, JNE Consulting, of Hamilton took home the top honours.

Our entrepreneurs and small business owners serve as drivers of our economy but also, in many cases, they are the primary employers of new Canadians who come to Ontario for a better, more stable life for their families.

While we all celebrate the success of this year's winners and we salute them for their contributions that they have made to keep Ontario's economy afloat, as we learned yesterday, Ontario's business owners can expect their electricity rates to increase by another 42% over the next five years, and that means that it's going to be harder for employers just to keep the lights on, let alone hire more people.

The future of Ontario doesn't have to be one of high hydro rates and higher debt. It doesn't have to be a future of less opportunity and fewer jobs. We need more employers like the ones we're honouring today. It would just be nice if we didn't have a government that made it harder for them every day to do business here in Ontario.

Congratulations to all the award winners.

#### CHILD CARE

**Miss Monique Taylor:** I'm pleased to rise today and say that I welcome the introduction of the Child Care



Modernization Act. I welcome the fact that the government is finally taking some action to ensure better protection of our children in all daycare settings. However, it's shameful that it took the tragic and unnecessary deaths of Ontario children before the government finally moved to provide better oversight.

This is an extensive bill, and it is one that we will need to look at very closely. We have a general overview, but we know that the devil is always in the details. New Democrats want to see prompt debate on this bill, and we want to see extensive hearings at committee, to make sure that we're finally getting it right.

Existing problems in the child care sector just don't require new legislation; they require commitment to action. This government must act on each and every complaint received about child care in Ontario, and they must ensure that there are enough inspectors to do the job. New legislation won't save lives if complaints continue to be ignored.

I also look forward to the forthcoming recommendations from the Ombudsman on this matter. I hope that those recommendations, along with a thorough review of the new legislation, can be used to improve child care in Ontario.

#### ACCESSIBILITY FOR THE DISABLED

**Ms. Cheri DiNovo:** I ring with my friend from Dufferin-Caledon, absolutely. I asked in this House for that apology, and we still have not received it, for the victims at Huronia.

I also want to talk about the report card that this government received from those who know best, and that's the Accessibility for Ontarians with Disabilities Act Alliance, those who live with disabilities. They said very pointedly, "The Ontario government has not kept its promise to effectively enforce the AODA. On November 18, 2013, we revealed"—that's them—"that the government has known that fully 70% of Ontario private sector organizations with at least 20 employees have been violating the AODA's accessibility reporting requirement for over 10 months."

They also revealed that "the government has not conducted"—listen to this—"a single inspection of any organization, nor issued a single compliance order, nor imposed any monetary penalties under the AODA, even though it has ample power to do so, and has known about these rampant violations" for quite a while.

**1550**

It has also shown that the government has had ample unused funds appropriated for the AODA's implementation and enforcement. Unused appropriated funds from 2005 to 2013 total \$24 million that they could have been using. Not only that, but when the AODA Alliance actually asked for information about this, they were denied it unless they paid over \$2,000 through a freedom-of-information act request, which I also raised in this House.

I conclude with their words, not mine. They say, "December 3, the international day for people with disabilities, should not be yet another day for platitudes and lofty rhetoric." It shouldn't be a day—I'm paraphrasing here—for more reviews, panels and letters. "It should be a day for launching decisive, concrete action that will improve the lives of Ontarians with disabilities." Their words, not mine.

#### ONTARIO AWARD FOR LEADERSHIP IN IMMIGRANT EMPLOYMENT

**Mr. Michael Prue:** I'd like to start by saluting the winners who were announced here earlier today, to be sure—Joseph Ng, Albert Yue, Anne Langille, Marion Annau, Romy Thomas and Mario Longo—for the excellent work. These people actually understand, in my view, the dynamic of this province. They understand that more than 100,000 immigrants come to Ontario each and every year. They understand that those people come from the far corners of the earth for the opportunities that exist in this province, including the opportunity for meaningful work. They understand, these winners, only too well that without a job it is impossible for families to get ahead, it is impossible to have higher education for themselves or for their children and it is impossible, in many cases, for women to go out there and do what is necessary to improve their lives.

I also want to say to the minister, while I'm on my feet, that I salute these winners, but there is so much more this ministry can do, and I ask you to first of all look to finding daycare for women so that they can have their children in proper daycare, so that they are afforded the opportunity to go out and learn English as a second language. Without that opportunity, the immense opportunities of this province will never be seen by them. This ministry should be looking at that field in their next round of endeavour.

**The Speaker (Hon. Dave Levac):** I thank all members for their statements.

#### PETITIONS

##### PERSONAL SUPPORT WORKERS

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

"Whereas current community care access centre personal support worker guidelines do not provide a clear indication of whether PSWs are allowed to support patients' activities outside the home; and

"Whereas patient health is best ensured through an active, healthy lifestyle that may involve activities outside the patient's home; and

"Whereas the spirit of community care includes patient access to their community's healthy lifestyle resources;

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

“To enact all necessary statutes that would allow personal support workers and other community care access centre staff to support their patients and clients both in the home and in necessary activities in their communities.”

I agree with this petition and will be passing it on to page Cynthia.

#### OFF-ROAD VEHICLES

**Mr. John Vanthof:** “To the Legislative Assembly of Ontario:

“Whereas a motion was introduced at the Legislative Assembly of Ontario which reads ‘that in the opinion of the House, the operation of off-road vehicles on highways under regulation 316/03 be changed to include side-by-side off-road vehicles, four-seat side-by-side vehicles, and two-up vehicles in order for them to be driven on highways under the same conditions as other off-road/all-terrain vehicles’;

“Whereas this motion was passed on November 7, 2013, to amend the Highway Traffic Act 316/03;

“Whereas the economic benefits will have positive impacts on ATV clubs, ATV manufacturers, dealers and rental shops, and will boost revenues to communities promoting this outdoor activity;

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

“We call on the Ministry of Transportation to implement this regulation immediately.”

I wholeheartedly agree, attach my signature and give it to page William.

#### ENVIRONMENTAL PROTECTION

**Mr. Joe Dickson:** I have a petition to the Legislative Assembly of Ontario:

“Whereas the regions of York and Durham are at the final stages of completing an EA”—environmental assessment—“for the YD-WPCP (York Durham water pollution control plant’s) outfall; and

“Whereas the regions of York and Durham have chosen as the final solution an alternative which will not address the quantity of total phosphorus (TP) nor soluble reactive phosphorus (SRP) being deposited into Lake Ontario; and

“Whereas Lake Ontario has been identified as the most stressed lake of the Great Lakes in the July/August 2013 issue of Canadian Geographic; and

“Whereas the town of Ajax and PACT POW (Pickering Ajax Citizens Together—Protecting our Water) have documented the excessive algae blooms on the Ajax waterfront with photos and complaints to the region of Durham; and

“Whereas SRP, and indirectly TP, contribute to the growth of algae in Lake Ontario;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to ask that the government of Ontario require the regions of York and Durham to implement an alternative that will reduce the amount of phosphorus (both TP and SRP) being deposited into Lake Ontario from the YD-WPCP.”

I will attach my name to this and pass it to Zachary.

#### FISHING REGULATIONS

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

“Whereas the Ontario Fishing Regulations Summary is printed each year by the Ministry of Natural Resources and distributed to recreational fishermen throughout the province to inform them of all the relevant seasons, limits, licence requirements and other regulations; and

“Whereas this valuable document is readily available for anglers to keep in their residence, cottage, truck, boat, trailer or on their person to be fully informed of the current fishing regulations; and

“Whereas the MNR has recently and abruptly drastically reduced the distribution of the Ontario Fishing Regulations Summary such that even major licence issuers and large fishing retailers are limited to one case of regulations per outlet; and

“Whereas anglers do not always have access to the Internet to view online regulations while travelling or in remote areas;

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately return the production of the Ontario Fishing Regulations Summary to previous years’ quantities such that all anglers have access to a copy and to distribute them accordingly.”

I affix my signature in support.

#### DOG OWNERSHIP

**Ms. Cheri DiNovo:** “To the Legislative Assembly of Ontario:

“Whereas aggressive dogs are found among all breeds and mixed breeds; and

“Whereas breed-specific legislation has been shown to be an expensive and ineffective approach to dog bite prevention; and

“Whereas problem dog owners are best dealt with through education, training and legislation encouraging responsible behaviour;

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

“To repeal the breed-specific sections of the Dog Owners’ Liability Act (2005) and any related acts, and to instead implement legislation that encourages responsible ownership of all dog breeds and types.”

On behalf of over 1,000 euthanized animals, I’m going to sign this and give it to Amy to be delivered to the table.

### DISTRACTED DRIVING

**Mr. John Fraser:** I have a petition to the Legislative Assembly of Ontario that reads as follows:

“Whereas ‘texting while driving’ is one of the single biggest traffic safety concerns of Ontarians;

“Whereas text messaging is the cause for drivers to be 23 times more likely to be in a motor vehicle accident;

“Whereas talking on a cellphone is found to be four to five times more likely for a driver to be involved in an accident;

“Whereas Ontario is only one of few provinces in Canada where there are no demerit points assessed under the current cellphone/distracted driving legislation currently in place;

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

“To adopt Bill 116 by MPP Balkissoon into law, which calls for each individual guilty of an offence and on conviction to be ‘liable to a fine of not less than \$300 and not more than \$700,’ in addition to a record of three demerit points for each offence.”

I support this petition, am affixing my signature to it and I’m giving it to page Julia.

### AIR QUALITY

**Ms. Sylvia Jones:** My petition says:

“Whereas Ontario’s Drive Clean Program was implemented as a temporary measure to reduce high levels of vehicle emissions and smog; and vehicle emissions have declined significantly from 1998 to 2010; 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 manufacturing 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;

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

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

I support this petition, affix my name to it and give it to page Matteya.

1600

### DISTRACTED DRIVING

**Ms. Helena Jaczek:** I have a petition to the Legislative Assembly of Ontario:

“Whereas ‘texting while driving’ is one of the single biggest traffic safety concerns of Ontarians;

“Whereas text messaging is the cause for drivers to be 23 times more likely to be in a motor vehicle accident;

“Whereas talking on a cellphone is found to be four to five times more likely for a driver to be involved in an accident;

“Whereas Ontario is only one of few provinces in Canada where there are no demerit points assessed under the current cellphone/distracted driving legislation currently in place;

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

“To adopt Bill 116 by MPP Balkissoon into law, which calls for each individual guilty of an offence and on conviction to be ‘liable to a fine of not less than \$300 and not more than \$700,’ in addition to a record of three demerit points for each offence.”

I agree with this petition. I will sign it and send it to the table with page Ana.

### ASTHMA

**Mr. Jeff Yurek:** “To the Legislative Assembly of Ontario:

“Whereas on October 9, 2012, 12-year-old Ryan Gibbons unnecessarily died of an asthma attack at school;

“Whereas one in five students in Ontario schools has asthma; and

“Whereas asthma is a disease that can be controlled; and

“Whereas it is the responsibility of Ontario schools to ensure asthma-safe environments;

“We, the undersigned, petition the Legislative Assembly of Ontario to request the Minister of Education to take measures to protect pupils with asthma by ensuring all school boards put in place asthma-management plans based on province-wide standards.”

I agree with the petition. I affix my signature to it.

### DISTRACTED DRIVING

**Mr. John Fraser:** I have a petition to the Legislative Assembly of Ontario.

“Whereas ‘texting while driving’ is the single biggest traffic safety concern of Ontarians;

“Whereas text messaging is the cause for drivers to be 23 times more likely to be in a motor vehicle accident;

“Whereas talking on a cellphone is found to be four to five times more likely for a driver to be involved in an accident;

“Whereas Ontario is one of few provinces in Canada where there are no demerit points assessed under the current cellphone/distracted driving legislation currently in place;

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

“To adopt Bill 116 by MPP Balkissoon into law, which calls for each individual guilty of an offence and on conviction to be ‘liable to a fine of not less than \$300 and not more than \$700,’ in addition to a record of three demerit points for each offence.”

I agree with the petition. I am affixing my signature and giving it to page Spencer.

#### ONTARIO DRUG BENEFIT PROGRAM

**The Acting Speaker (Mrs. Julia Munro):** Petitions? The member for Durham.

**Mr. John O'Toole:** Thank you very, very much, Speaker. Patience pays off. Anyway, I'm pleased to present a petition from the riding of Durham, which reads as follows:

"Whereas Health Canada approved Esbriet in October 2012 for individuals with idiopathic pulmonary fibrosis (IPF);

"Whereas the Ministry of Health and Long-Term Care has declined to list Esbriet on the Ontario drug benefit formulary or reimburse patients through the Exceptional Access Program;

"Whereas Esbriet is the first of its kind to be approved in Canada for the treatment of IPF and will slow the progression of this fatal disease;

"Whereas the high cost of Esbriet is creating financial hardships for many individuals and their families. Only those patients who have access to a private drug plan can afford the cost of this medication, forcing some patients to go without treatment"—and die;

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

"To review and reconsider the Ministry of Health and Long-Term Care's decision to decline any assistance with Esbriet and consider some form of assistance with the cost of this medication in order to improve the lives of Ontarians with IPF and decrease the cost on the health care system associated with the disease."

I am pleased to sign it on behalf of my constituents in the riding of Durham.

#### DISTRACTED DRIVING

**Mr. John Fraser:** I have a petition to the Legislative Assembly of Ontario.

"Whereas 'texting while driving' is one of the single biggest traffic safety concern of Ontarians;

"Whereas text messaging is the cause for drivers to be 23 times more likely to be in a motor vehicle accident;

"Whereas talking on a cellphone is found to be four to five times more likely for a driver to be involved in an accident;

"Whereas Ontario is only one of few provinces in Canada where there are no demerit points assessed under the current cellphone/distracted driving legislation currently in place;

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

"To adopt Bill 116 by MPP Balkissoon into law, which calls for each individual guilty of an offence and on conviction to be 'liable to a fine of not less than \$300 and not more than \$700,' in addition to a record of three demerit points for each offence."

I agree with this petition—

**The Acting Speaker (Mrs. Julia Munro):** Thank you. The member for Prince Edward—Hastings.

#### AIR QUALITY

**Mr. Todd Smith:** "To the Legislative Assembly of Ontario:

"Whereas Ontario's Drive Clean Program was implemented as a revenue-neutral, temporary measure to reduce high levels of vehicle emissions and smog; and

"Whereas emissions and vehicle failure rates have dropped dramatically between 1999 and 2010, the Drive Clean program has clearly outlived its usefulness; and

"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 the Drive Clean program has generated a profit to the government of \$19 million over the past two years, despite a Supreme Court ruling that revenue-neutral government programs cannot generate a profit, the government is refusing to return this surplus to Ontario taxpayers;

"Therefore we, the undersigned, ask the Ontario government to take immediate action to end the Drive Clean program and return accumulated profits to Ontario taxpayers."

I agree with this, and I'm sending it with William to the table.

#### WIND TURBINES

**Ms. Laurie Scott:** "To the Legislative Assembly of Ontario:

"Whereas Premier Kathleen Wynne and the Minister of Energy Bob Chiarelli have publicly stated that there will be no time extensions for large-scale FIT contracts in Ontario, and the Ontario Power Authority CEO, Colin Andersen, has stated the authority is expecting developers to meet contract commitments; and

"Whereas the Premier, minister and the power authority must recognize that damage to our rural area from being under continuing threat by industrial wind turbine developers for three years is serious and unacceptable; and

"Whereas the FIT contracts for the Sumac Ridge, Snowy Ridge, Settlers Landing and Stoneboat projects—all on or near the Oak Ridges Moraine and in the former Manvers township in the city of Kawartha Lakes—have already been extended for one year or longer;

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

“That the government of Ontario, the Minister of Energy the Honourable Bob Chiarelli, and the Ontario Power Authority not issue any further time extensions for FIT contracts and, in particular, for the Sumac Ridge, Snowy Ridge, Settlers Landing and Stoneboat projects—before or after expiry of such contracts. We are advised, and we believe, that the ‘force majeure’ clause in the FIT contracts is completely inapplicable to these projects; accordingly, we respectfully further request the Legislature to instruct the Minister of Energy to adhere to his assurance that extensions will no longer be granted to wind project proponents who have no contractual right to such an extension and who fail to meet their contractual commitments.”

Signed by hundreds of people from my riding, and I'll hand it over to page Julia.

**The Acting Speaker (Mrs. Julia Munro):** The time has expired for petitions.

## ORDERS OF THE DAY

### 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 November 28, 2013, on the motion for third 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 Acting Speaker (Mrs. Julia Munro):** Further debate?

**Mr. Monte McNaughton:** Before I begin, I'd like to say that I'm going to be sharing my time with the honourable member from Durham—the senator from Durham.

I'd also like to take this time—I haven't had an opportunity yet, Speaker—to welcome Julia Brunet, who's a page here, from my riding of Lambton–Kent–Middlesex. I know, as a former page myself many years ago—in fact, I think about 22 years ago—that it's an honour to have the privilege to serve as a legislative page. I think all the members in the House can agree that this group of pages is doing a fabulous job.

I was also proud to welcome Julia's family all the way from the Komoka area down to Toronto yesterday and hosted them for lunch and for a tour. So they were happy

to see Julia in action here at Queen's Park. In fact, she was the page captain yesterday.

**1610**

Speaker, I'm pleased to have been asked to speak to Bill 21 here today. I guess this is our party's lead at third reading, and it's an important bill. It's one that our party supports. Our caucus has been on the record for a while supporting this, and our leader, of course, Tim Hudak.

I'd also like to thank the advocates who have come down to Queen's Park time and time again, talking to MPPs from all three parties, urging everyone to support this bill. I know they also brought a list of recommendations that we took to committee to help improve this bill. Speaker, I will get to this a little later on. I met actually just moments ago with the Canadian Manufacturers and Exporters association, who have raised some issues with this bill, and I'll address that throughout my speech.

Bill 21, Employment Standards Amendment Act (Leaves to Help Families) proposes several amendments to the current Employment Standards Act to correlate with some similar changes that the federal government has made to the Canada Labour Code. The PC caucus is glad to see that the government is listening to the concerns that we as a party have presented last session when it was originally introduced as Bill 30, I believe, the Family Caregiver Leave Act. My fellow colleagues have enjoyed the opportunity to speak to Bill 30 at that point, and outlined a number of concerns our caucus had with that piece of legislation.

The original bill did not demonstrate proper consultation with stakeholders or with the small business community, in particular. I'm questioning now how much consultation was also done with the Canadian Manufacturers and Exporters association. It failed to demonstrate that there was a real need for these changes to be implemented. However, we can see now they have followed through on making significant changes and improvements to this bill. They did come back with a better bill, and of course they do deserve recognition for that.

With Bill 21, it will help in eliminating the inconsistencies that exist between our federal labour code and the provincial labour laws. As of June of this year, the federal government has started paying out benefits for what is the federal equivalent of the proposed critically ill child care leave act. Additionally, as of January this year, they have also begun implementing grants for 35 weeks for the equivalent of the proposed crime-related child death or disappearance leave.

Bill 21 would not incur any additional costs provincially; it would just protect the job from being terminated. Of course, we're interested in putting families first. I think we all know families or we've had family members who have faced personal health issues, and can certainly understand why this bill is important.

In Ontario, there are currently only two forms of leaves available to workers that are protected under the Employment Standards Act: the family medical leave and the personal emergency leave. Under the current federal Employment Insurance Act, six weeks of employment

insurance benefits may be paid to eligible employees under this leave. The family medical leave is an unpaid job-protected leave of up to eight weeks within a 26-week period. In order to be eligible, a qualified health practitioner must issue a certificate stating that an individual to be cared for has a serious medical condition and has a significant risk of death occurring within a period of 26 weeks. The personal emergency leave gives some employees the right to take up to 10 days of unpaid job-protected leave each year due to injuries, illnesses and certain other emergencies or urgent matters. This type of leave would only be eligible for individuals who work for a company that regularly employs more than 50 employees.

Bill 21 includes the introduction of new types of leaves: the family caregiver leave for up to eight weeks unpaid per year, the critically ill child care leave for up to 37 weeks for parents caring for a critically ill child, and a crime-related death or disappearance leave of up to 104 weeks for employees whose child dies as a result of a crime, or up to 52 weeks for employees whose child disappears as a result of a crime. The family caregiver leave mirrors the family medical leave in many ways; however, it does not include the provision of significant risk of death within a 26-week period.

Speaker, it's important that this bill brings Ontario's legislation in line with the federal legislation that was passed some time ago. We would like to see some important flexibility put into this program because it is fairly restrictive in the time frames, and I believe some of this was addressed at committee. One aspect of this bill is to keep seniors in their homes and allow that to happen. Of course, giving people the opportunity to take a leave from their job to care for a loved one—as I said, we've all had family members or friends of our families who have had to face health issues and challenges on that front.

I will say that, as I said earlier, I met with the Canadian Manufacturers and Exporters association, who have raised some issues with this, particularly around the days off. It could impact production in any manufacturing facility. I'm hoping that the government will take that into account and work with them to ensure that it's a smooth transition for this bill to take effect.

Of course, when we talk about manufacturing, I can tell you, as a former three-term municipal councillor, a small business owner myself, and now an MPP from southwestern Ontario, I've seen first-hand what happens when government treats economic development as an afterthought. In fact, the closed plants, lost jobs and families struggling to survive are the inevitable outcomes of runaway power costs, overregulation and a failure to understand what entrepreneurs need to succeed and what manufacturers need to succeed, and Bill 21 impacts manufacturers in the province of Ontario.

Ontario's manufacturers require a champion who will ensure that power rates are competitive, that the provincial transportation system works well, that our schools and colleges educate people for the workplace of the 21st

century and that the regulations that government imposes encourage competition and do not deter it. Right now, we don't have those conditions here in Ontario. We've heard the long-term energy plan that was released yesterday that surely is going to kill more jobs in the province of Ontario and make life more unaffordable for seniors and for families impacted by Bill 21, who have loved ones who are sick. But we just don't have those conditions, and our towns and cities are paying that price.

Since 2003, it's been said many, many times, Ontario has lost over 300,000 manufacturing jobs, at the same time adding over 300,000 government workers to the payroll. Of course, taxpayers simply cannot afford to pay that cost and that burden of an extra 300,000 government workers.

But we can't afford to simply give up and pretend that Ontario can thrive without a strong manufacturing sector, because it can't. Talking about Bill 21 here today and having the Canadian Manufacturers and Exporters association here is good timing. They're going to be hosting the MPPs here at Queen's Park later on today, so I know we'll be talking about Bill 21 with them.

But Speaker, there is room for optimism on the manufacturing side. Major Ontario companies—Magna is a good example—are innovative market leaders. Smaller Ontario companies lead in their own sectors in areas as diverse as cranes, health care devices, liquid rubber and office floor tiles.

The current government has erected a number of barriers to new jobs, including layers of unnecessary red tape and one of the highest costs of government in North America. In fact, it's a high-cost jurisdiction to do business in. I think the government really has to listen to the warning signs that are out there—of course, they've been going on for a long time now—but we can't put barriers in front of businesses and in front of job creators. I urge the government just to be careful with these bills that they are bringing forward.

**1620**

In the United States, we are seeing major corporations bring home production from abroad, because they need highly skilled workers and because they want to produce closer to their customers.

Even Chinese companies are starting to make their products in North America.

In Ontario, we need a dedicated effort to repatriate companies back to the province of Ontario, to seek out and help facilitate companies to relocate and return home.

There is great opportunity for Ontario, Speaker, but we are competing directly with other provinces and US states, many of which already have the flexible labour markets, lower power rates and streamlined business regulations that, of course, our leader, Tim Hudak, and our caucus have long been advocating for.

Getting back to the details of Bill 21, I think that the bill speaks to the compassion that members of this Legislature have for the people we all represent. Whatever party we're with, we really feel for those families strug-

gling with loved ones who are ill. Honestly, I think there's not a person here who wouldn't agree with that kind of initiative and who wouldn't agree with that plan, as long as it's a well-thought-out plan that's not going to be harmful on the job creation side.

When a person has an ill child or family member, we all think of them. We can sympathize with the stress that they are under. We hope every child is going to live a happy and healthy life, but that's not always the case. I can tell you, as a new father myself, it's something I worry about every day. You pray that your child is going to remain healthy, but we know, sadly, that's not always the case.

In these circumstances, it is important for all of us to show that type of compassion and understanding for that family and the issues that they are confronted with.

It's good to see that we are giving more respect to family members who unselfishly give up their time to care for a family member, and that we are working to provide a level of support for them to do so. A streamlined piece of legislation is something we can support; one that eliminates inconsistencies and duplications is key.

With my riding of Lambton–Kent–Middlesex being largely rural, I'm sure this will have a lot of support, especially where people have to drive longer distances to get to hospitals and health care centres in order to get the treatment needed.

For an aging or critically ill person, it makes a lot of sense to have family members around to care for them, particularly because the reality is that there is a lack of long-term-care beds in this province. I know it's something that we're faced with in our constituency offices throughout the riding. Whether it's in Forest or Glencoe, Strathroy or Wallaceburg, our constituency assistants get calls all the time. They're put on waiting lists for long-term-care beds, and it's a real concern here in the province of Ontario.

I continue to hear from my constituents about their frustration over the decline in front-line services that enable these people to care for their family at home. With budgets getting tighter, the front line seems to be the one area that is affected the most, instead of the already overly bloated bureaucracy. This reminds me, of course, of what has happened in my riding with the three hospitals—Strathroy, Four Counties in Newbury, and the Sydenham hospital in Wallaceburg.

To highlight front-line health care cuts, I can highlight the Sydenham hospital in Wallaceburg, that had 28 beds closed a couple of weeks ago. It's a real loss to that community—I believe it was since 1921. I raised money for that hospital. That community built the hospital. It's a wonderful hospital, a very important part of the Wallaceburg and Kent county community.

I think it's a shame when front-line services are cut and what replaces front-line services is more government bureaucracy. I look at the LHINs: They're sucking hundreds of millions of dollars out of front-line health care services right across the province, just for bureau-

crats. The CCACs are another good example of millions and millions of dollars being wasted.

Again, at Strathroy hospital, one of the floors has been closed. Four Counties hospital, I think, back around 1972, in that time frame, had about 40 or 44 beds. It's down a lot now; I think about a quarter of that is remaining today. So I think we've got to really pay attention to where the health care dollars are going and ensure that the money is going to the patients, to the front-line services. That is key, Speaker.

Of course, speaking of health care, we had the issue raised over the last couple days of Ornge and more waste and, more than anything, just more mismanagement at Ornge and more mismanagement on the part of this government, the Premier and the health minister. I mean, Chris Mazza getting paid by the taxpayers, again after getting an extra \$10 million that we just found out about—this is just crazy. It's no way to run a government, Speaker, especially after eHealth and a couple of gas plant cancellations of \$1.1 billion. I can see why the people of Ontario have lost faith in this Premier, much like they did under the former Premier, Dalton McGuinty. And I think the LHINs just add to that: more waste in the health care system. People know that money is scarce today here in Ontario. I think the government has spent Ontario into a deep hole, and people know that that money should be going to front-line patient care.

But again, Speaker, back to Bill 21: Additionally, when dealing with the loss or disappearance of a child, it's time that it finally gets recognized as it does in Bill 21. During this heartbreaking period of time for any parent who might end up in this situation, providing them time is not only compassionate, but it's absolutely the right thing to do, and that's why our party has been very supportive of this government's piece of legislation.

This bill, as I said, which we are supporting, is important to many people in the province of Ontario, but there are major challenges that we have to address with this sitting of this Legislature. We've said that we need to clear the decks. Our leader, Tim Hudak, has been clear on that, that we need to get focused on really what matters in Ontario right now, especially after we've heard of the Heinz closure—800 jobs lost there.

But I would encourage this government to really tackle the deficit and the jobs crisis that we have here in Ontario today, and the Liberal members have to agree with me that everywhere you go, people are concerned about providing food for their families, having that job so they can care for their loved ones.

This legislation, obviously, serves an important part of this sitting. However, as I said, there are many, many huge issues that are facing the province of Ontario. When we talk about a million people not working in the province of Ontario, that's a scary figure, Speaker—and 300,000 manufacturing jobs lost. Ontario's wage growth is dead last in Canada. So you talk about the middle class being gutted; it's actually happening right now in front of us. That's why the crisis requires urgent action by this government, and unfortunately—and, you know, we saw it a number of times during question period, Speaker. I

don't think the Premier is up to the job, up to the task of dealing with the jobs and debt crisis in the province of Ontario. I mean, this is what everyone is talking about, and that has increased, the discussion about the jobs crisis, since the long-term energy plan came out yesterday. I mean, you just have to read all of the newspapers, the letters to the editors. All MPPs, I'm sure, have received emails and calls from their constituents. They don't know how the heck they're going to be able to afford an extra \$500 a year, because their hydro bills are going up.

*Interjection.*

**Mr. Monte McNaughton:** And, yes, I heard members saying that it's \$444 a year that they're going up. I know there's a bit of debate about that, but some members say it's \$444 a year and some say it's \$500. But I can tell you, when it comes to hydro bills, I think of a small business person in my riding who owns a grocery store, a Foodland, in a small town, and his hydro bill was \$8,500 a month a couple of years ago. That's \$8,500 a month. We all know the grocery business has pretty fine margins, and his bill now is \$10,000 a month.

1630

**Mr. John Fraser:** Point of order: He's not speaking to the bill.

**The Acting Speaker (Mrs. Julia Munro):** Yes, I'd like to remind the member to contain his remarks to the bill.

**Mr. Monte McNaughton:** Thank you, Speaker. I actually think I am speaking to the bill. When we talk about Bill 21, helping families in need, providing time to spend with loved ones who are going through challenges, there are lots of challenges happening out there, Speaker, and I just want to finish this story on the grocery store owner because I think it highlights what we're going through here in Ontario.

This person is paying \$10,000 a month in hydro costs. This is after putting in T8 light bulbs, the energy-efficient light bulbs, and putting new compressors in his coolers, and the bills are still going up. Yesterday, what the energy minister—

**Hon. Jeff Leal:** Point of order.

**The Acting Speaker (Mrs. Julia Munro):** Yes, point of order.

**Hon. Jeff Leal:** I just want to make reference to standing order 23(b), "directs his or her speech to other matters" that are not the topic of the bill. I just want to bring that to your attention, Madam Speaker.

**The Acting Speaker (Mrs. Julia Munro):** I would remind the member to contain his remarks to the bill under discussion.

**Hon. Eric Hoskins:** It's a good story, Monte.

**Mr. Monte McNaughton:** Yes, you're right. The minister said it is a good story, but it's a sad story and it's a story that we're hearing all across the province.

Bill 21, the Employment Standards Amendment Act (Leaves to Help Families), proposes several amendments to the current Employment Standards Act to correlate with some similar changes that the federal government has made to the Canada Labour Code.

Again, I say that we're supporting this bill. We're supporting the government's bill, but in turn, for the support of Bill 21 and other bills, we're asking the government to bring forward legislation that's going to deal with the jobs and debt crisis. I think I am speaking to Bill 21 throughout my remarks because we've allowed the government to clear the decks. Tim Hudak and the PC caucus have allowed this legislation to get through and to clear the decks so we can focus on the priorities.

Again, I think that we need to always show a compassionate side for our loved ones, for our families. As I said earlier, I'm a father, and I pray every day that my daughter stays healthy, as all do who are parents.

Speaker, the unemployment rate in Ontario is unacceptably high, at around 8% in many regions. In fact, down in southwestern Ontario it's closer to 10%. The deficit this year is going to ring in, I believe, at somewhere around the \$12-billion range. The provincial debt is going up \$20 billion this year alone, from \$253 billion to \$273 billion, having doubled under the tenure of this government. Perhaps the government could incorporate some additional PC proposals to get this province back on track.

Again, just to reiterate, we're supporting Bill 21. We've agreed to a number of pieces of legislation in order to clear the decks to get on with the priorities that Ontarians have, and that is to create jobs in Ontario and get the books balanced in Ontario.

We need to eliminate the deficit and bring the debt down, yet the government is still continuing to spend, spend, spend. I speak about Bill 21 being a compassionate bill, and it is. But running these massive deficits is robbing future generations. It's taking away important services that we could be providing for future generations, and I think that's wrong. In fact, if I was a government member, I really could not sleep at night, knowing that they're adding \$20 billion a year to the provincial debt. Quite frankly, I think that's criminal, Speaker. It should not be allowed to happen here in this province.

To ensure there is a health care system to even provide care for those who experience health care emergencies, and to have jobs for their loved ones to take a leave from, we have to get our fiscal house in order and our economic fundamentals right, and again this is clearly speaking to Bill 21.

Additionally, transparency is required in these discussions and in these bills. I think it's important that the Ministry of Labour look at that transparency throughout the whole labour portfolio, especially in developing all of their labour legislation. This is something that should be done with other legislation with respect to things like—I think a good one, and an important one when it comes to government unions in particular, is government union financial disclosure. We know that that has changed or is changing at the federal level; there's a bill, I believe, that's passing through.

Again, Bill 21 is a labour bill, and I think there are other parts of the labour portfolio that need to be looked at, but—

*Interjection.*



**The Acting Speaker (Mrs. Julia Munro):** Just a moment. Yes?

**Hon. Jeff Leal:** I just want to rise again on a point of order and make reference to you, Madam Speaker, of the relevant section of the standing orders, 23(b), when the member directs his or her speech to matters other than the topic of the bill.

**The Acting Speaker (Mrs. Julia Munro):** I'd remind the member to keep his remarks relevant to the bill under discussion.

**Mr. Monte McNaughton:** Well, Speaker, again, I wish the member from Peterborough would actually listen to my remarks. Bill 21 was introduced by the Minister of Labour. There are other issues in that ministry that need to be dealt with, and—

**Hon. Teresa Piruzza:** Yes, but we're not talking about those. We're talking about this bill.

**Mr. Monte McNaughton:** I am speaking to Bill 21. When we talk about a massive debt that you—you're part of a government that is raising the—

**The Acting Speaker (Mrs. Julia Munro):** Excuse me. I must remind you to speak through the Chair.

**Mr. Monte McNaughton:** Speaker, through you to the members opposite, I just don't understand why the Liberals are so opposed to us talking about some fiscal sanity around this place. Just because, in the last 10 years, they have spent Ontario into oblivion, I think that they should be respectful in this debate. We are having a respectful debate. I listened to the Minister of Labour's lead on this bill, and I think we should have respect on all sides of the House.

We'd like to see this bill through, as I said. Tim Hudak took the lead and I think showed what strong leadership is, and that is to clear the deck to get focused on the priorities here in Ontario. We're pleased that this legislation actually eliminates inconsistencies between the federal labour code and provincial labour laws instead of creating inconsistencies.

Everyone's goal is the same. Many have elderly family members at home, and we need the flexibility ourselves to be able to keep them at home, because that's where they want to be. I think we can all agree, regardless of the partisan stripe, that our loved ones would like to remain at home, in particular our seniors. I think they're happiest there, and it's in our best interests if we can keep them in good health and give them the type of life that they want to lead.

Our leader, Tim Hudak, and the PC caucus support this bill. To be very clear, compassion is not something unique to any party here in this Legislature. I believe each of us in this room is in support of helping those in our society and our communities—the most vulnerable. There shouldn't be any doubt about that. It's about how we go about doing it and implementing the public policies to address the challenges we face.

We need to have a government in this province that is committed to managing costs and recognizing where there are savings that can be realized. We've already identified those areas in our health care system, and do

need to continue looking at how we can adapt our approaches when it comes to front-line health care services.

Before I turn it over to the honourable member from Durham, I just want to reiterate the importance of dealing with the priorities of Ontarians today; that is, getting the books balanced in Ontario so that we can provide health care services in the future and get the money to the front-line patient care. Let's cut administration and cut bureaucracy here in Ontario.

In closing, I just want to highlight that I think for me, since I've been elected for two years now, the waste and administration—I know there was a hospital CEO in the province of Ontario a number of years ago, and it came to light in the London Free Press, I believe, who was getting paid somewhere around \$900,000 a year. The hospital was paying for a Lexus for him. They were paying for a financial investor for him. Then it came to light that he ended up getting paid over \$1 million for a retention bonus.

1640

I think that highlights the frustration that people have here in the province of Ontario. Then again, even more than that, the LHINs—hundreds of millions of dollars are going into the LHINs and the CCACs, of course.

I think the resources are scarce. We have to get our house in order so we can be compassionate to future generations here in the province of Ontario.

Speaker, in closing, we will continue to call upon the government to introduce legislation to deal with the huge challenges facing the province, and we will be prepared to debate those too.

With that, I'll close and turn it over to my honourable colleague from Durham.

**The Acting Speaker (Mrs. Julia Munro):** The member for Durham.

**Mr. John O'Toole:** It's truly an honour to follow the member from Lambton-Kent-Middlesex, our critic on this file, the critic of labour, a very capable person who knows both sides of the question of employment and employment rules, having worked in business and being part owner in a business, so he knows how good and how important it is to treat employees fairly and equitably.

This really does come down to fairness, because it's fairness for those families who have children—our parents, for that matter, with children—who may be ill. We need to be compassionate and realize that today.

The most important thing we should do in Ontario—and I think all members would agree with this: The most important thing we could do is create the environment where there are jobs for young people, there are jobs for people who are in transition, there are jobs in Ontario.

Our leader, Tim Hudak, starts almost every day giving us a pep talk, a rally talk, and saying it's all about the economy and jobs, and if we could just get that working again, there would be enough for everyone. "Sustainability" is defined as enough for everyone forever. Today, our definition in Ontario is almost the opposite. We have the highest unemployment: the largest province in Canada, running with a very high chronic unemployment rate for the last four or five years.

Now we're introducing another standard. The standard itself is really copying, as my colleague the member for Lambton-Kent-Middlesex mentioned—actually, he mentioned the federal discussion, and the legislation there does cover a number of these concerns.

Initially, in fairness to the government, this government introduced the bill on March 5, 2013. It was debated several times in second reading, in which I participated and most members here participated and raised concerns. They were valid concerns.

In fairness, and with all due respect to the government itself, they did amend the bill, and I've got the most recent copy here. This is my original copy. There are a few notes; it's a bit messy. There's the original one of March 5.

I know exactly what was said during the debates by the member from Timmins-James Bay on September 11 and the member from Burlington on the 12th, and the comments they made in their 20-minute responses to Bill 21.

Impressively, the bill went to committee in late September. It came out of committee, and on November 7, the bill, as amended, was reported to the House. Now we're in third reading. The bill has been amended.

I should say this: I'm going to go through some of the sections of the bill that, at the beginning, were troubling. Most members on this side—the government was convinced they had it right, but in fact, one of the largest issues came up in the very first section of the bill, and it was under—I'm just looking here at the changes.

Section 49.3: That section was amended. It was on a qualified practitioner, those persons who can issue the validity or the medical statement that says this condition is worthy of having the support for a critically ill child.

There's another section here, and I'll read some of those into the record for the public who may be following this, those HR people who may be interested. It's the fact that each of the leaves—if you took a day off, for instance, to take your ill loved one with maybe cancer for a medical appointment, you had to take the whole week off. They've amended that, and I give them full credit for amending it, because it made absolutely no sense, and there's some evidence there that they did listen to us. I'm surprised—I should say that—that they did listen, but nonetheless they did.

I think, for the viewer here today, this is important. The member from Lambton-Kent-Middlesex was always trying to make the full and complete argument about the appropriateness in the timing in the economy of Ontario. In the context of that, he introduced a few flashpoints. I'd call them controversial comments. I've never done that myself, but there are occasions when it's required to bring attention to certain issues. I would say that I was very impressed.

In the same context of Bill 21—this does apply, so I'm qualifying it. This is kind of a neutral commentary by the eminently respected Roger Martin, who's the chair of the Ontario Task Force on Competitiveness, Productivity and Economic Growth. Who is more qualified to talk about

Ontario and how we're doing? If a person wanted to look at a really good article, there was one on the 28th, from the Toronto Star—kind of the Liberal briefing notes, we call them—“Keys to Unlocking the Full Force of Ontario's Economy.” Here it is, Roger Martin, speaking in the Toronto Star, and he brings up certain things. He says, “From our talented people to the economic potential of the Ring of Fire or our agri-food sector, there is no shortage of causes for optimism.” He goes on to say that that's not really the case. The Ring of Fire: Cliffs walked out. There goes northern Ontario's economy.

Really, this is the point here. We set this nice compassionate climate for making sure that there's leave in the case of critically ill children or children who have been abducted and for family caregivers themselves, and when we talk about that, you will find, I would put to you, Madam Speaker, unanimous agreement that that is the case. I've listened to almost all the debates. In the debate from the member from Essex on November 28, he made a very compassionate statement in here, revealing how this kind of thing affected his life when his older brother, I believe, broke his neck or the fourth vertebrae and was quadriplegic and how his family had to come to the rescue. This bill is important, and I think the federal government's initiative and their legislation on this caregiver leave is the way to go. Those are the people who want to be there. They have no choice but to be there, especially a parent with a sick child.

Myself being a parent of—my wife and I had five children. There were many occasions when she as a teacher had to give up her time. As an employee in an assembly-type environment, it was harder for me to give up time. If I look back, I would say I probably should have taken more time.

But one of the sections in the bill here that the public should know about is probably one of the more troubling sections, not from the point of view of not supporting the bill. Critically ill care leave is added to the act, and it's under section 49.4. For an employee who has at least been employed for six consecutive weeks, to provide the care to support a critically ill child, entitlement to a critically-ill-child-care leave is in addition to any entitlement to family medical leave under section 49.1. The family care leave in this section would provide for, I believe, 37 weeks, and that's probably appropriate. If you had a critically ill child—it could be serious cancer or organ transplant or even more complicated, but 37 weeks to provide care and support for a critically ill child. That's drawn out in legislation.

If you really think about it, that may not be enough, but here's the issue: There are not five cents in this bill—this is actually downloading, and I want to be straightforward about this. I would agree that the parent would probably have no choice if it was their child, but could they afford to take 37 weeks off?

Tell the whole story: You're out of a job, you have a sick child, you can't pay the rent, and you can't put gas in the car. Where's Dalton McGuinty or Kathleen Wynne—pardon me—where's the Premier now?

They've got to take credit for the holes and the gaps in this thing. They brought it up. It's feel-good. I understand that. We are all compassionate. Don't say that we're not. We're bringing up the realistic perspective of this. There isn't one nickel of money in it.

**1650**

It's like the minimum wage discussion, if you want to really be honest. Everybody is—I'm getting letters; you're all getting letters—getting letters about increasing the minimum wage. The Premier will probably bring that in. It's not one nickel of her money, you know. If not, in some respects there is a little element of blaming the federal government in this bill as well. This is the problem here. Why don't they—always talking about working Kumbaya, collaboratively.

I put to you, whether it's Roger Martin or whoever else is commenting on these things, let's look at the state of the economy today. If you really want to help, the first and most important thing is to give people the hope and opportunity for a job and the security that goes with that. A lot of illness is caused by people who have lost their jobs and become depressed and dysfunctional, and that's part of what is really behind all of where we are in the economy of Ontario. Once you've been kicked down and kicked in the teeth, it's hard to get up again and get on your feet.

Going on, I'm trying to tie this into my colleague's former remarks about where we are in the province of Ontario. There's a really excellent report. It's a report put out by our critic in finance: Fedeli Focus on Finance, Ontario's fall economic statement. And he goes on—the member from Nipissing is here, so I'm not plagiarizing. This report is available online. It's worthy of—I won't say it's F-OF, this Focus on Finance; it's FOF; pardon me.

There was another article. These are bringing in other third party commentaries that I think are worthy of attention. This one is in the National Post. It's a fairly civilized copy here. This is by Jack Mintz, who's the Palmer Chair of the School of Public Policy at the University of Calgary. He's talking about a number of public policy discussions ongoing. But he's going to say here, talking about the problem: "The province has to borrow money for capital, thereby harming" their financial positions. He goes on to say, "A much bigger fiscal credibility problem faces Canada's two largest provinces. Ontario promises to balance its budget by 2018 but it is far from clear that there is any plan to do so. The government is hesitant to cut spending, leaving" it only up to the taxpayer. There's another academic telling you the true story.

We know right now that we had the long-term energy plan yesterday. We call it the short-term energy plan. It's short-term because there's just enough in there to get them through to the next election without telling the whole story. They have the most expensive energy in North America. Businesses are leaving here, not just Cliffs with the Ring of Fire, but it does apply to this sector of Bill 21.

**Hon. Jeff Leal:** On a point of order, Madam Speaker: Even though I'm always impressed with the entertainment from the member from Durham—

**Mr. John O'Toole:** Entertainment? It's the truth.

**Hon. Jeff Leal:** I must refer you to—standing order section 23(b), that talks about when a member "directs his or her speech to matters other than" the bill that's currently debated. So I seek your guidance, Madam Speaker.

**The Acting Speaker (Mrs. Julia Munro):** Thank you very much. I would remind the member that he should restrict his remarks to those related to the bill under discussion.

**Mr. John O'Toole:** I respect the observation. That proves they were paying attention.

But anyway, here's the issue: I'm really going to say, at the end of it, right now I'm not happy with the economy. I think Bill 21 does nothing about jobs and the economy. They introduced a bill—they're all good; they're all good things. Banning tanning beds: I don't have a problem with that, but there are more important issues. We have the highest unemployment.

I'm going to go on to a couple more sections, because in the amendment sections, I told you earlier that I would reread into the record some of the changes. I think they've redefined, under section 49.4, "child." In the older section, the child was described differently; a child means "step-child, foster child or child who is under legal guardianship, and who is under 18 years of age; ('enfant')." It used to be not fully described. So I think that was a good amendment. It's probably a drafting error more than anything that was put in at a political level.

It goes on to say, a qualified practitioner "means a person"—now there's this nuance of change in this section. This is section 49.4(1)(a). It says, "a person who is qualified to practise as a physician, a registered nurse or a psychologist under the laws of the jurisdiction in which care or treatment is provided to the individual described in subsection (4), or

"(b) in the prescribed circumstances, a member of a prescribed class of health practitioners;"

So in the previous section it didn't really extend it to the nursing assistant or the PSW, and that's kind of what this does, finding a more affordable option for providing a qualified person who would give you the letter that says the child is actually sick.

There's another thing here. It's quite an onerous bill, but Bill 21, in the very short time I have left—I wish I had the hour to speak; it would have been more—

**Hon. Jeff Leal:** I move unanimous consent to—

**Mr. John O'Toole:** Yes.

Now, this is quite interesting. I know the general public would be interested in this as well. This is section 49.5. See, a lot of people don't like this, the nuances of these pieces of legislation. Section 49.5 creates crime-related child death or disappearance leave, and it's added to the act. Under section 49.5, an employee who has been employed by their employer for at least six months—so you've got to be at the place of employment for six

months to be entitled to a certain leave without pay if the child of the employee dies or disappears and it is probable, considering the circumstances, that the child died, or—under a certain section. It's 49.5.

"If the employee is charged with the crime or if it is probable, considering the circumstances, that the child was a party to the crime"—but I'm going on here. If the parent was involved or wasn't involved with the loss of the child, where they find the child—if the child was found, they would get 52 weeks' leave. That's a year off. I don't know. I think they're going to be very upset.

Now, here's the real implication. If, for instance, they were a millwright or an electrician and they were off for a year—they probably have every good reason. They're going to be unemployed, first. Secondly, the employer—not that I'm always on their side—could be a small shop, five or six people. They have to get the millwright.

Now, if they're feeling compassionate, they're probably helping out the other employee, too—I would hope that the federal government would click in with some of the unemployment insurance benefits—and have to hire and probably retrain this particular person in the factory that was there. So there's a cost there to everyone involved. There is definitely a cost. Nothing's happening here.

It goes on to say if the child was actually found no longer alive, they'd get 104 weeks. Now, there's a much bigger problem here. That's two years off, and there's probably court time involved and all that, depending on the circumstances.

There's a lot in this bill where the government isn't putting any money on the table. Transitions for two years—to have no income and a child who has been abducted, potentially killed—I'm not a member of the government, but I'm not allowing them to walk around acting as if they changed the world, and they didn't put five cents on the table. Yet in Ontario, we're running a deficit of \$14 billion. Now it's \$15 billion, because the Minister of Energy said today that he has not put in his long-term energy plan the \$1 billion lost on the gas plants.

Ontario's in trouble, and trouble—that's when people are going to be off work. They're going to be depressed. They're going to be sick—sick and tired.

I think half of it—Bill 21 doesn't go near far enough—

**Hon. Jeff Leal:** Madam Speaker, I just want to bring to your attention the standing orders again. Section 23, subsection (b): "directs his or her speech to matters other than" are being debated. If we want to have a debate about the energy act, well, let's have a special debate on the energy act—

**The Acting Speaker (Mrs. Julia Munro):** Thank you.

The member for Durham.

**Mr. John O'Toole:** Thank you, the member from Peterborough, the Minister of Rural Affairs, I believe it is—yes, rural affairs. The Premier has the agricultural part of it.

I think they would admit, though, there needs to be a more wholesome debate on the energy plan. There were three questions asked, I think two or three by the NDP as well. So he's touched on it. I didn't divert it. He diverted my attention, and I'm easily distracted; I understand that.

**1700**

I thought the member from Lambton–Kent–Middlesex made a very impassioned plea for patience, civility and looking at having some compassion for the people of Ontario. I would say this: I have given them credit, in fairness. I have given credit, because I did say they did amend a couple of sections in a favourable way. I also said that we, with some consideration, will support this bill on third reading, but there's more that needs to be done. Where are their priorities? Would you spend \$1 billion moving gas plants for political reasons or give some help to these people in transition who have been out of work for two years?

*Interjections.*

**Mr. John O'Toole:** That's what's—you brought the bill up. Don't point the finger at the federal—don't blame Jim Flaherty. Don't blame Tim Hudak. We would have had a stronger economy. Our whole plan is about recovering Ontario.

I'm anxious to hear what people say in the two-minute responses because I know myself that the real challenge here in Ontario—if the people of Ontario just knew. This is what the Wall Street Journal said. Am I allowed to bring this forward? No, I won't. I won't go down that road.

I have a small article here where the Minister of Finance, Mr. Sousa, spoke.

*Interjections.*

**Mr. John O'Toole:** See, I cannot bring relevant information to the debate. That's what's missing.

Bill 21, I believe—as I said before, it's third reading. We understand it has been to committee. We understand it has been amended. Premier Wynne, in all—here's what it sounds like to me: "See what we've done for you lately." Well, I'm putting on the table that they haven't done anything. A good employer would be there for the good employee as well. Now they've legislated good behaviour and they're going to take credit for it. It's like the minimum wage. They're going to say, "We're going to increase it to \$13" to take the votes away from Andrea Horwath and take credit for it.

Here's the point: But who pays for it? That's the issue here. The employer pays, and the employer says that their payroll is, say, \$10,000 a week. The payroll ain't changing. There are just going to be fewer people sharing it. That's how it works. I've talked to all of the small businesses.

This case here—I want a response in the two minutes, perhaps from the member from Peterborough. Let's take an example of a small restaurant in my riding. I can think of the people now, Zante Restaurant: family-run, family-committed, working hard, paying their taxes, playing by the rules. All of a sudden, bang, somebody gets sick. What do they do? They've got to replace the person.

Maybe they have to train the person. Fortunately, they changed the rule where they had to take the whole week off.

But let's say that person isn't a family member. The person is an employee. That isn't covered under here. That only has to be a family member, not an employee. That's why I think, quite honestly, when you look at it, some other family is going to be without the money, and that young waitress or cook who's off sick—no pay, living in the apartment.

Look, it sounds good, but on deeper inquiry I find it doesn't do what it says. It's downloading onto the people who are sick and out of work. That's the true test of this whole thing. I would be wondering if there's any economy left to even give them any support, because you're spending money on stuff that isn't necessary, and you should be spending money on stuff like the question that was asked on a drug for a young family today. There's a family disrupted by illness. They won't even help with the drug, yet that very drug is covered in other provinces.

Now they're going to give them time off. Time off, all right. They're probably going to die. This woman potentially will die, and I'm not saying the drug would save the life, nor am I blaming the minister. She's saying, "That's an independent process. I can't do a thing." The Minister of Health in Ontario would usually stand up on those issues and find out—it was evidence-based, but the evidence base is in, in that particular case. Other provinces have approved it. Health Canada has approved it. Why are they denying it to some people?

This case does relate to Bill 21, which is talking about the spouse who's off with an illness—brain cancer, in this case, I think, with Mr. Chudleigh's constituent with two children, who has been here, who has talked to the minister.

Not to make it embarrassing or to blame, but you can't have it both ways. You can't claim that you have the corner on compassion and somehow we don't. I think at the end of the day, if you worked with a bit more spirit of co-operation, you would find that not just Tim Hudak but the entire team on this side is as compassionate as anyone on the other side. But when you think you're somehow higher and mightier and are, without much accountability, squandering money on some of the outrageous things like Ornge helicopters and the gas plants, all that stuff, you aren't doing the real serious stuff about the jobs and the economy and protecting jobs in the case of family members that may be sick.

On this bill, I did want to speak and put my emotive feelings on the record. In the context of our critic, who's a young fellow, I think of my children who work in other countries. I know that she has a child that's not feeling well at times. She's a teacher in England, and she gets zero time. I can't believe it; the coverage there is just pathetic. But in Ontario, we do want a strong economy to provide for our children and for our families, and this bill—the discussion itself is good; it acknowledges, at least.

My final remarks are about something that's related. Earlier today, I met with Linda Sunderland and some other people from Hospice Palliative Care Ontario. This is very relevant to this debate. Those members, almost all without exception, were volunteers. I know them in my riding talking about end-of-life care and the most suitable thing. They're looking for an ear from the government in an era where we have an aging population, families that are stressed to the max because both people have to work to afford all the stuff in society today, and you have aging parents that are fading. I would hope that this bill does something in that respect, but more importantly I want to thank the people from Hospice Palliative Care Ontario for bringing the message to us today. Some members, I'm sure, met with them. We're looking for the minister to pay attention to them and allocate some resources for this emerging and serious concern about palliative and end-of-life care in Ontario today.

I'm going to leave a few minutes of the time I have. I tried to use as much of the time—and I thank the member from Lambton–Kent–Middlesex, our critic on this file, for allowing me the opportunity to share the time with him and compliment some of the things he has done and the work he has done on this bill to make it better.

**The Acting Speaker (Mrs. Julia Munro):** Comments and questions.

**Ms. Teresa J. Armstrong:** I'm happy to comment on Bill 121, the Employment Standards Amendment Act (Leaves to Help Families). Speaker, we've debated this bill for quite a while in the House. It seems like everyone agrees that this bill is a good idea, that when there's a family member who's ill, generally people want to be by that family member's side. So to have that option of having your employer give you that time off is a good thing.

When it went to committee, I see that there's one very good amendment in there that I had originally thought was really important. Originally, the bill came through, and it was a requirement that you would take the three weeks off in the year as one lump, in a block, to look after your loved one. But the reality of illness is that it's not going to happen just for three weeks. Someone could need assistance from a family member to take them to an appointment for a couple of days or a couple of afternoons during the week, or just a week's time. So I see that in committee the real work was done on this bill, and the opposition parties came together. The NDP and the Tories came together in agreement to see that that provision was in there, because it needs to work for the people who are going to use it.

There was debate that it's not going to work for the employer; it's going to be harder for the employer. But I think most employers would actually prefer someone taking the time in small increments, because that's more workable than three weeks, where you've got an absent employee for three weeks, and you've got to fill that gap. If it's an afternoon or a couple of days or a week, and it's spread out over the year or a few months, that, to me, seems to work for the employer and the employee. So I

was glad to see we could work in committee with that amendment.

1710

**The Acting Speaker (Mrs. Julia Munro):** Comments and questions.

**Mr. John Fraser:** I'm pleased to respond to the members from Lambton–Kent–Middlesex and Durham. I'm glad this is something we can all agree on. That's what we've all been saying. This bill is compassionate. It speaks to what families need in a time of crisis. It also protects their jobs, especially for those in precarious employment.

I want to point out: The member from Oshawa said this bill had nothing to do with jobs. Well, in fact, it does protect people's jobs. It protects their employment. An employer cannot dismiss them based on the fact that they have to care for an ill loved one. I think that's an important thing to remember.

As a second point, I'm not sure whether the member from Oshawa supports this or doesn't support it—because describing it as a Kumbaya feel-good bill, I think, is really not doing a service to something we've accomplished together. The member did acknowledge that, so I'm not sure which side he's standing on.

With respect to the member from Lambton–Kent–Middlesex, I know that he understands how important this is to families. I had the opportunity to meet him and his wife, Kate, with their new addition last night, and I know that he would have that kind of compassion as an employer.

I want to point out two things, though, that the member did mention. The hydro is not 500 additional dollars; it's \$500 in savings as to what originally was projected. And it's not \$20 billion to the deficit each year—but I want to actually give him some perspective on the deficit.

We have a ledger sheet here that we have to watch that's called the provincial budget. There are also 13 million ledger sheets in Ontario, and on those ledger sheets are the things that families count on, like health care, like investment in jobs, like investment in the auto sector, which you guys—the Conservative Party, the party across—voted against. That's what they depend on, and we don't see that ledger sheet clearly. It isn't put to us here—

**The Acting Speaker (Mrs. Julia Munro):** Thank you.

Further comments. The member for Nipissing.

*Applause.*

**Mr. Victor Fedeli:** Thank you—oh, that wasn't for me.

Speaker, I thank you for the opportunity to speak. I want to continue on with what the member from Ottawa South was talking about, and that's really having the funds to do the things that are important to people in Ontario.

I have just sent over the latest Fedeli Focus on Finance to the minister, for him to have a perusal. You'll see between that issue, which talked about your fall economic statement, and issue number 2—which are all available

on fedeli.com, by the way; you can download them—it talked about why Ontario's spiralling debt matters.

Really, what happens with this spiralling debt and the deficit is that that takes money away from programs that are important. This year alone, we are going to see \$9.2 billion in deficit and \$10.4 billion in interest. That's almost \$20 billion that will be added to our debt this year. That's money that can't be spent on health, front-line health care, education—the things that are important to us, and the things that are important to the rest of Ontario.

That's why we absolutely need to be focused on our finances. We need to have a jobs plan from the other side. We have 14 white papers, soon to be 15 white papers—200 pages of bold ideas to put people back to work in Ontario, ideas that will help in northern Ontario, where I live, in North Bay, in Nipissing riding. These bold ideas—

**The Acting Speaker (Mrs. Julia Munro):** Thank you.

The member for Hamilton East–Stoney Creek.

**Mr. Paul Miller:** I think there should be a new show on TV: Meet the Fedelis.

Anyway, with all due respect, I do see in the bill that our friends from the official opposition and us tagged up to—apparently the Liberals didn't like the one-week-only requirement, and we teamed up to allow that to be expanded to more than one week. That's an interesting concept, that they did not like limiting it to a week.

Also, the fact that I don't see—the member from Ottawa South talked about no repercussions by the employer on the employee, and that is a good thing. But I can safely say to him that certainly you'll need a large enforcement group to keep that, because sometimes an employer may decide that he's making the decision—not the government—about his employment and his company, and no one's going to tell him what he can do with his employees. You may run into some of that, so I hope you're going to have a lot of inspectors to back that up, because you're going to be a busy guy.

As far as compensation for pay, they're letting people take time off to take care of their loved one, but they are losing their income. I say to them, if I had been drafting the bill—why wouldn't they have had flexible work hours? If the company worked days and afternoons, and your parent or loved one needed you during the day, and maybe a sister could do it after work because she's on straight days, why couldn't you work straight afternoons—or nights, or weekends? Then you don't lose any money, and you've still got the time to take care of your loved one. I didn't see any of that in this bill, and that's huge. That certainly wouldn't hurt the employer, wouldn't hurt the employee and certainly would help the family. Why didn't they think about that? They didn't.

I think you're going to have some real problems enforcing, keeping the companies in line, so—

**The Acting Speaker (Mrs. Julia Munro):** Thank you.

You have two minutes to respond, the member for Lambton–Kent–Middlesex.

**Mr. Monte McNaughton:** It has been a fun hour and a bit, with members on all sides of this House. It has been a good debate. I'd like to thank my honourable colleague from Durham, of course, who shared time with me; the member from London–Fanshawe; the member from Ottawa South, who I ran into last night, and he alluded to that in his remarks—we ran into each other at the grocery store, where he met my daughter and my wife; the member from Nipissing; and also the member from Hamilton East–Stoney Creek.

Speaker, again, we're going to be supporting Bill 21. We did work to raise some concerns that we had with the original bill—I think it was Bill 30—that was introduced in the last session.

I can say that I have a good working relationship with the government's Minister of Labour. Obviously, we disagree on many things when it comes to the labour file, but we have a good relationship. I've sat down with his staff and he, himself, on another matter.

Listen, we are going to support this bill.

Bill 21, the Employment Standards Amendment Act, proposes several amendments to the current Employment Standards Act to correlate with some similar changes that the federal government has made to the Canada Labour Code.

I think this bill is important because we all know families faced with loved ones who are going through some health challenges. That's why I think, at the end of the day, we can come together as legislators and pass this bill.

In closing, I would urge the government to consider moving forward on the issues that are really important to the people of Ontario: creating winning conditions for the economy and getting the books balanced in the province of Ontario.

**The Acting Speaker (Mrs. Julia Munro):** Further debate?

**Mr. Jagmeet Singh:** I want to preface my remarks with one indication that Bill 21 is something that our party, the NDP, is in a position to support. There are a number of areas that we were able to improve, and I want to highlight those areas. There are also some further considerations that I want members of this House to look at and think about, moving forward.

One of the first things I want to begin speaking about is that the amendments show how well this House can function when we have a common goal and we commit to working together to achieve that goal.

There are three key areas that were amended. I think they were great amendments—they speak to the members' vision—to look at addressing this issue and addressing the fact that there were certain weaknesses in the bill as it existed.

One of those key issues that was brought up was the fact that when people are ill, it's not always the case that you need a block of time off. The reality is that if someone's ill, sometimes you need a more flexible type of leave. For example, if there's an appointment every Tuesday when someone's ill, you don't need to be with them every day of the week, but you certainly need to be

with that person on a Tuesday to make sure they go into their appointment, they're taken care of for that day and brought home. So you need Tuesdays off, but you don't need three weeks at a time, you don't need two weeks at a time, you don't need one week at a time. You need every Tuesday off.

**1720**

To allow that flexibility shows a sensitivity to the realities that people face. The reality is that, based on an individual's need, there should be caregiver leave that addresses that directly. So I think the amendment that was put forward both by the NDP and the PCs to address this flexibility was a great way of addressing this reality, a great way of addressing the fact that people sometimes need more flexibility with their time off.

The other amendment that was brought forward, and I think speaks to an understanding and an appreciation of the different circumstances that people in different parts of the province face, concerns the reality that people who live in more remote communities, communities outside of the GTA or outside of areas that have a greater density of medical professionals or physicians—that in those communities, requiring the employee to have a note signed by a physician is sometimes not feasible. The reality is, many people don't have access to a physician, they don't have access to a family doctor, and to make it that, to obtain caregiver leave, there has to be authorization by a physician would preclude a great number of people.

Perhaps my colleague from Timiskaming–Cochrane can speak about the fact that there are still many people in his community who don't have access to a family doctor, and there are other communities I know in the north that have a paucity of family physicians. Those residents will still have circumstances—and we hope that this never happens to anyone, but the reality is, it may happen that they need to take some time off to take care of a loved one, a family member, but they don't have access to a physician. So the amendment that was put forward was that a registered nurse or a psychologist could authorize the caregiver leave.

Now, that was a solid move. It was an appropriate amendment, and it addressed the realities of those living in remote communities. So I want to applaud the efforts of the opposition parties, both the NDP and PCs, for taking the initiative to put forward these amendments. I know they were resisted by the Liberals, but these were important amendments that definitely protected residents in rural communities. It recognized the obstacles and the barriers they face and it facilitated a manner by which they could still employ this caregiver leave, given their sometimes restricted access to medical health care professionals.

The final amendment, which did get all-party support—and it was a good amendment—was that the bill initially addressed serious medical conditions, which of course goes without saying. We need to ensure that people can take time off to care for their family members or loved ones when there's a serious medical condition. But there's also chronic illnesses that have a devastating

impact on families, that have a devastating impact on the lives of individuals, and we need to make sure we have a caregiver leave that addresses those circumstances as well, where people who are diagnosed with and are suffering from chronic illnesses can also receive the support and care from their loved ones, from their family members. That was an amendment that was put forward by all parties.

The additional component was also episodic issues, such as dementia or epilepsy. There are also times when the seriousness of the illness is not a long-term seriousness; it's a specific moment in time. It's a diagnosis which is limited in its impact in terms of time but quite serious in its impact in terms of the impact on that individual's life, such as dementia or epilepsy. They might be episodic; they might be resolved. There might be psychiatric issues that can address it. But that was a great amendment as well to address that issue.

Building on one of the comments raised by my colleague the member from Hamilton East—Stoney Creek was the issue that, if this bill goes forward—and we all hope that it will gain support and will be passed. As I said, the NDP certainly supports it, and I've understood, from hearing everyone, that all parties seem to support the bill.

The problem is moving forward. If we give this caregiver leave as a right to the employee and to individuals—they have this ability to access it; there's this right; there's this law enacted—a law is only as powerful as the enforcement of that law. For example, you're given this right. An employee can go ahead and take time off, much-needed time off. They can take the time off and care for their loved one or their family member.

Now, if you have that right but there's no enforcement on the other side—so I take action and I say I want to engage this right, and I want to take some time off. But if my employer doesn't follow through on the law—my employer says, "You know what? There may be a law out there but no one's going to enforce it anyway, so I'm going to fire you. If you take your time off, I'm going to fire you. You're not going to have a job to come back to." What recourse does that individual have? If you've given someone a right but you don't make sure that that right is enforced, then the right is quite meaningless.

The reason why I bring this up is that we have to have a serious conversation about the enforcement that the Ministry of Labour often lacks, the enforcement that the Ministry of Labour is often not able to do. If we're giving a right to the citizens of Ontario, to the residents of Ontario, we have to make sure that they have a sense of security that this law will be enforced, that there will be enforcement that will protect their rights.

There are many protections under the Employment Standards Act, but there are also many infringements of those rights. There are many infringements on the labour conditions that people are entitled to, on the rights they're entitled to, and there's absolutely no recourse. There's no remedy. There is no enforcement.

So I ask the government now, in my time given to debate this bill, that you look seriously at this issue of

enforcement. And as seriously as you're taking this issue of providing caregiver leave, you also, on the other hand, have to make sure that there is enforcement in place.

Speaking about the Employment Standards Act in general, there is a vast number of issues. There are numerous issues that people face when it comes to employment rights, and there are a number of times when their rights are violated. Broadly speaking, beyond just this caregiver leave, we need to make sure people are protected in their workplaces.

An issue that has come up in my riding, and I know it's an issue that has come up across Ontario, is that one of the worst sources of violations of people's rights, when it comes to employment, is temporary job agencies. They're also known as temporary help agencies or temporary work agencies.

People working at these agencies are employed in a temporary fashion; they don't have a permanent position. When you're temporarily employed, literally your employment is precarious, because by the nature of it, you don't know if you're going to have your job tomorrow or the next week or the next month.

Your position in that employment is also precarious in the sense that being afraid to lose your job means that you're also afraid to raise concerns or raise issues. People who are working in precarious employment, in unsure employment—in employment that's not permanent, that's not something they could have any sense of job security in—those individuals are often treated the worst in jobs. Their conditions are some of the most abhorrent.

One of the issues that comes up is that people who are working through a temporary job agency don't know if they're entitled to take a break. They're not sure if they are entitled to the same pay. They're not sure if they're entitled to vacation or other sorts of pay. If we're not protecting those folks, we are doing a great disservice to our residents, to the citizens of this province. In fact, recent reports indicated that 50% of Ontarians—50%; half of our population—work in some form of precarious employment.

Precarious employment is a real issue, and it comes back to this issue of enforcement. We're giving people rights, like the Employment Standards Act, like this caregiver act. If we're giving rights to people in Ontario and we're not protecting them—we're not enforcing these rights—the rights are meaningless.

Again, I ask the government to take some action on temporary help agencies and temporary employment agencies. People working in those agencies have told me about some horrible conditions.

One of the issues, again, as I have indicated, is that if you're a temporary worker at that particular place of employment, you're often told to do some of the most difficult work. You're not being paid as well—because the agency takes sometimes as much as half of your pay—you're being told to do some of the most difficult work, and then, when it comes to the conditions of employment, these temporary workers don't often get the breaks they deserve. They're not sure if they have the right to refuse work if it's unsafe, and because they're so



uncertain about their future, they are not willing to raise any concerns. They're nervous and they're afraid, frankly, to complain or to even register any complaints. So that's an issue that I ask this government to take some steps on.

1730

In 2009, there were some amendments made that increased the protection, but those amendments created a great deal of loopholes. The loopholes that exist basically create a circumstance where the protections aren't being offered to these temporary workers. If we have 50% of our population working in some form of precarious employment and they're not being protected, we need to do something, seriously, about this. This is a growing concern, this is a serious concern and it's something that's quite troubling.

The other issue with temporary employment circumstances which calls for—

**Ms. Soo Wong:** Madam Speaker, point of order. I believe the bill we're debating is Bill 21. I'm just hearing in the last two minutes that the member opposite is talking about temporary agencies. I just wanted some clarification: Are we talking about debating third reading on Bill 21 or are we talking about temporary agencies?

**The Acting Speaker (Mrs. Julia Munro):** I've listened carefully, and I would ask the member to continue but to be mindful of the rules.

**Mr. Jagmeet Singh:** I thank you, Madam Speaker, for paying attention. The reason why I was drawing the analogy is that this law that we're enacting now, this bill, this future law and future legislation, doesn't have enforcement. Without enforcement, the law is meaningless. There are similar laws that have been enacted that have sought to protect employees.

The Employment Standards Act is one example. Without the necessary enforcement of that act, we can't protect employees. If we can't protect them in terms of their rights, then how can we protect them in terms of allowing them to have caregiver leave? The connections are very strong, and that's why it's important to address them.

Another area that was addressed in terms of this caregiver leave—and it's something that other members have addressed and brought up as well, and I think it's an important area that we need to focus some time on—is that if people are going to take some time off work, the financial reality in the province, and particularly in households, is that people are struggling to make ends meet. Life has become very unaffordable. It's very difficult to make your payments. It's very difficult, basically, to pay the bills.

In those circumstances, we expect—and I think it's a great idea that people should be able to take time off work so that they can care for their loved ones, but if they're taking that time off without any sort of income, it becomes very difficult. It's one of those examples that draw my attention to the idea that all too often in this House we look at things in a very myopic way. We look at things with a very narrow sort of vision. We're only thinking about the fact that we need to give an employee

the right to take some time off work so they can care for their loved ones, but there's actually a bigger connection here.

Caring for someone who is ill—if a loved one or a family member is doing that—actually takes some of the burden off the health care system. You get someone who can provide care, someone who knows the individual quite well, someone who has that vested interest, that love and affection, and that can provide a great source of healing.

If, instead of thinking of it as a cost to society, we look at it as an investment, people caring for their loved ones can actually provide a better, healthier society. There are other jurisdictions where, instead of just having a caregiver leave, people are actually able to be employed through the state to provide care for their loved ones. It's a system that's actually developed, and it's working in Scandinavian countries.

I had the opportunity to visit Sweden, and in Stockholm I met some folks who were providing care for their family members. One individual was actually—we met and we were out at a local restaurant. He told me that in his current position he was working and studying at the university for his master's, but at the same time he was caring for his sister's child, his niece. What he was doing was providing care for his niece. He was the primary caregiver while his sister was working, and he was being paid a very livable wage for doing that service. It's a way of providing care, but it's also a delivery mechanism that didn't require that child to be in a long-term-care facility, didn't require that child to be at a hospital, and still allowed the mother to work, continue to be employed and continue to contribute to society.

So when we look at these problems that we're faced with, if we look at them as broader than just this narrow vision—"Okay, this is just an issue about employment law"—and look at it beyond that and say, "Listen, the way we take care of our employees and the way our employees can take care of their loved ones are connected to a health care delivery model," it's connected to the overall health of our society. These connections can work synergistically to create solutions that are not just looking at things in a subdivided, limited scope. We can broaden our vision and create a healthier society with broader solutions.

I just want to close with this final submission to you all. In this light of looking at things with a broader vision, the broader issue here is that we need to look at better ways of delivering care for folks, if loved ones can be one way and family members can be one way to provide assistance and care for people.

We also need to look at one of the underlying issues here. The three areas where this bill seeks to provide protection are unpaid family-related leave for, obviously, a seriously or chronically ill family member, a seriously ill or dying child, and parents of children who are murdered or have gone missing. When it comes to seriously or chronically ill family members, or seriously ill children, it's really a question of our health and what we can do to prevent the circumstance in the first place.

Obviously, there are going to be medical emergencies and accidents where things can happen beyond our expectation and beyond our prevention. But for chronic illnesses and for serious illnesses, if we take one step back and look at how we can prevent this from happening in the first place—it's important that we allow this caregiver leave, and I certainly support that—the bigger question is, what can we do as a society to prevent those serious illnesses in the first place? What can we do as a society to prevent those chronic illnesses in the first place?

One of the most important things we can do is make the healthy choice the easier choice. What we can do is increase health promotion. We can work towards preventing some of these serious illnesses from happening in the first place.

Diabetes is one of the most serious illnesses and of the most growing in terms of rate of diagnosis. That is one of the most preventable illnesses that we have in the myriad of illnesses and diseases that are out there. If we could only commit more to investing in solutions—which would be prevention, health promotion, encouraging healthy nutrition, encouraging exercise, making exercise easier and more accessible, making it more affordable and having more options for exercise—we could prevent the illnesses in the first place so that maybe families wouldn't need to take time off to take care of them.

**The Acting Speaker (Mrs. Julia Munro):** Comments and questions.

**Ms. Soo Wong:** I'm pleased to rise in support of Bill 21, An Act to amend the Employment Standards Act, 2000. I'm pleased to support the bill, and not just because it's a government bill. The bill is about compassion, to support families across Ontario, to assure every family member who is currently looking after a loved one who is critically ill that their job is being protected. At the end of the day, nothing really matters if our family is not safe and is not looked after.

The other piece of the legislation that my colleague from Bramalea–Gore–Malton is talking about is preventing chronic disease. Our government has taken proactive provisions when it comes to the respiratory health of Ontarians by removing dirty coal in our communities—it's the right thing to do—addressing childhood obesity and dealing with the whole issue of diabetic health.

I hear exactly what the member opposite is talking about, but this particular bill is about protecting families, so that the loved ones looking after the sick, especially those with critically ill children or when a child has been murdered or disappeared, can have a time of leave and their jobs are secure.

1740

We also know the bill has been supported by different groups or agencies across Ontario, from the Parkinson Society to the Canadian Cancer Society; one of the largest nursing agencies, Saint Elizabeth; and the Ontario Home Care Association. I know the bill has been reviewed through the committee and it's time for us to have this last debate for third reading. Hopefully, the bill

will be passed before we rise for the holiday break. Thank you.

**The Acting Speaker (Mrs. Julia Munro):** Further comments?

**Ms. Laurie Scott:** It's a pleasure to be in the chamber this afternoon discussing Bill 21, the Employment Standards Amendment Act (Leaves to Help Families).

*Interjection.*

**Ms. Laurie Scott:** I'm surrounded by obviously encouraging caucus members here. The member from Nipissing here and his Fedeli finance have been talked about today also. Of course, the whip has come in from Renfrew–Nipissing–Pembroke to make sure that we're all in order here and that we're speaking to the bill, for which I had a chance to sit in committee and listen to the deputations as well as to do some clause-by-clause amendments.

It was mostly associations, certainly, that came in—I know cancer care came in—and we heard them. Amendments were brought forward. I think that the biggest change that was consistent throughout the deputations that came to committee was the fact of not having to take all the days in a row. I think that that came out loud and clear. The member from Durham spoke earlier today that there are a lot of good employers in the province of Ontario. We actually hope there are more good employers, if we can create some more jobs and get businesses started up again in the province. They are very flexible usually with family members in taking time off to care for loved ones. This is what we're speaking about here today.

But we have to ensure sometimes that the standards amendment act, which is mirroring somewhat the federal legislation, can be applied in a fair way. So when family members need half a day or just a day—that's why we like to have the flexibility in for those family members, as we, I'm sure, all have been involved at one point or another—remarks have certainly been made that there is no money. This is just to save the job. There is no money that goes with this bill. So in a way it's a bit of a shell but we certainly made some amendments and look forward to the final debate on the bill. Thank you.

**The Acting Speaker (Mrs. Julia Munro):** The member for London West.

**Ms. Peggy Sattler:** I want to congratulate the member for Bramalea–Gore–Malton on his really visionary approach to this topic. I know that the specific legislation he was speaking to was Bill 21 but he used the opportunity to talk in a much broader way about issues of prevention and ensuring that we have a system that enables all of us to maintain our health into the future.

I really liked his focus on a social-determinants-of-health model. We know from that research that the best way to maintain the health of a population is to create jobs. A job is the number one indicator of good health. We also know that affordable housing is necessary to maintain population health—access to recreational activities and other kinds of opportunities for social inclusion.

The member from Scarborough–Agincourt, when she referred to the member from Bramalea–Gore–Malton's

comments, really talked more about a disease model of health, and we really need to look much broader than that.

I also wanted to comment briefly on his comments about shifting the resources to enabling caregivers to provide care for their ill loved ones and the financial savings to the state that are achieved. I think we have to be aware of the psychological, physical and emotional impacts on caregivers as caregivers start to pick up more and more of the responsibility to provide care to their loved ones.

I think we can have a system that will ensure that there is quality care and also that all of our citizens are well cared for by their loved ones and health care professionals.

**The Acting Speaker (Mrs. Julia Munro):** Thank you very much.

The member for York South–Weston.

**Mrs. Laura Albanese:** I'm pleased to add my voice to this bill, Bill 21. I had the privilege to carry it—follow it—through the House in its first incarnation, when it was Bill 30, and it was introduced back in December 2011.

It has been reintroduced. It has gone through a lot of debate. It has gone to committee. It is now back for third reading, and we're hoping that this time we will see it passed with the support of all parties, as we have until now.

What I wanted to mention is that this bill, as you all know, bridges a gap that is existing between family medical leave and this one, which would be the family caregiver leave, to provide a leave that would apply in cases of serious illnesses or injury, even where there is no imminent risk of death.

The one with the imminent risk of death is paid; there is a corresponding income to that. For this one, yes, there isn't, but I think it addresses the need that many newcomers, mainly immigrant families, have. Sometimes they can have a loved one who is sick overseas, in a different country. They need to go; they would go anyways. But with this bill, they would not lose their job, and I think that for those people, it would really be important.

I remember, before my dad passed away in 1994, I had to go overseas a number of times, and something like this would have really helped.

**The Acting Speaker (Mrs. Julia Munro):** The time has expired for questions and comments. We'll go back to the member for Bramalea–Gore–Malton.

**Mr. Jagmeet Singh:** I appreciate all the comments. I appreciate the member from Haliburton–Kawartha Lakes–Brock, who brought up the good amendments that were brought forward. I think it's a testament not only to the members in this House but also the associations that came forward and raised those issues.

I want to thank the member from Scarborough–Agincourt for adding her voice to the issue and stressing the fact that we need to pass this bill.

However, I agree strongly with the member from London West, who raised the key distinction that the member from Scarborough–Agincourt's comments were around the disease model, and what I was trying to do

was address the fact that we need to look towards a prevention model, and that the caregiver leave, in a myopic, narrow viewpoint, addresses that issue, but it doesn't go beyond that and look at other solutions in a broader scope of how we can transform our health care system and transform our society. I really appreciate the fact that the member from London West spoke on those issues.

I think we really need to look at, one, that the caregiver—he or she takes on a lot of burden. The caregiver will often put themselves in some financial risk, but also, the mental and physical strain of having to care for someone else could create some other problems as well.

In terms of allowing and providing for an exemption, we also need to provide for a support system so that caregivers are not only exempted and allowed to take that time off so they don't lose their job, but that we also protect and support them so that they can still maintain their own health and they can contribute to society, instead of also falling ill.

I appreciate the member from York South–Weston talking about the gap that existed, and this bill certainly closes the gap and allows for those who are ill but not imminently—they're not going to die within a certain period of time but are still seriously ill. It allows them to have the protection they deserve.

**The Acting Speaker (Mrs. Julia Munro):** Further debate?

**Mr. Rick Nicholls:** It's a privilege to rise today and to speak to Bill 21, the Employment Standards Amendment Act, also known as Leaves to Help Families Act.

I was pleased to speak to this bill at second reading, way back in March, and I'm glad to see that it has changed for the better since I debated it.

At the heart of this bill is a desire to allow Ontario's caregivers to focus on what matters most—the health and well-being of their loved ones—without having to fear about losing their job.

**1750**

Every member of this Legislature has, at one point or another, seen the tremendous impact that a sudden illness or injury to a family member can have. Several members of this Legislature have actually given personal testimonies, personal examples, of times when they were required to provide care to family members who suffered from an injury or even an illness.

One can only imagine the strain that the disappearance or death of a child would have on a family. Surely work is the farthest thing from their mind—my mind, anyone's mind—in a situation such as that.

In the many months that this bill has been debated, I've heard stories from constituents who have faced challenges while trying to provide care for their family members. One constituent's father suffered a heart issue last summer and has been in intensive care for several months now. Eventually, the problem escalated, and he required a heart transplant. When he went through the surgery in London, his daughter was working part-time in Windsor at a fast-food chain. She made the choice to be

there for her family, and, as a result, her employer stopped putting her on the schedule.

She was punished for being there for her family as her father fought a life-threatening battle. Clearly, her employer needs some training in compassionate leave for staff faced with the need to care for the health and well-being of loved ones.

Looking specifically at this legislation, this bill would create three new job-protected leaves. The first one: a family caregiver leave, which provides up to eight weeks of unpaid leave for employees to provide care to a family member that a qualified health professional has deemed to have a serious medical condition. Then, the critically ill child care leave states an employee is entitled up to 37 weeks of leave under this section to provide care or support to a critically ill child of the employee. Finally, the crime-related child death and disappearance leave offers up to 52 weeks of unpaid leave for parents of a missing child and up to 104 weeks of unpaid leave for parents of a child who has died as a result of a crime.

Many Ontarians enjoy a positive relationship with their employers who understand the importance of family. Many employers are willing to give their employees time off to deal with family health emergencies.

Each member of this Legislature is an employer, in a way, as we all have staff. I'm sure that if any of our staff were to encounter a family emergency and needed to take a few days to provide care for a loved one, we would work something out. However, this legislation is sorely needed for those who are currently unable to take a few days or weeks off to care for a family member or loved one.

In my time as MPP for Chatham–Kent–Essex, I have had the opportunity to meet with local CCAC officials and front-line staff to just see how they serve the needs of residents. I've also heard from constituents who have had to fight to get assistance for their loved ones.

In committee, the Ontario Home Care Association stated that “the publicly funded home care system looks after 600,000 people a year, and that number is growing.” Their CEO, Sue VanderBent, went on to say that family members “provide the majority of care.”

While our front-line local CCAC workers provide compassionate care for residents, nothing can replace the loving care provided by a family member. Our health care system must work hand in hand with family caregivers to ensure patients receive the best possible health care.

When the health and safety of a loved one are in jeopardy and they require care, nothing else matters. You drop everything. You do whatever you can do to help out. But, for many Ontarians, dropping everything and taking a leave is simply not an option. This bill helps families who may be on the verge of crisis by taking a large stressor out of the equation: the fear of having to choose between your loved ones and your livelihood. That's a choice no one should ever have to be faced with, that no one should ever have to make. With Bill 21, if passed, never again will anyone be forced to make that decision.

This bill promotes a collaborative effort of caregiving. By allowing employees to take a leave to provide necessary care for a family member experiencing health issues, we simultaneously protect families and save precious health care resources. We all know how overburdened our health care system is. If basic care can in fact be provided by a family member, we should do all we can to ensure that they are able to provide that care without fear of losing their job.

As I previously mentioned, I had spoken to this bill at second reading, back in the spring, and I had a number of concerns that I had hoped would have been addressed in committee. Speaker, many of those concerns that were raised in this House centred on the lack of flexibility in the bill.

One concern I had with the previous version of Bill 21 was that it only allowed a doctor to sign off on the leave. The member from Lanark–Frontenac–Lennox and Addington voiced some of the concerns of our party regarding this bill in committee. Sadly, many Ontarians do not have a family doctor. In rural or remote portions of this province, many residents only have access to a registered nurse on a day-to-day basis. Constituents back in my riding of Chatham–Kent–Essex certainly understand this reality.

This year, I was fortunate enough to do some job shadowing at the Leamington District Memorial Hospital, as well as the Chatham-Kent Health Alliance. While I was there, I was able to see first-hand the kind of quality and care that the doctors, triage nurses, volunteers and gerontology emergencies management nurses provide. I was also able to see them struggle to keep up.

In Chatham-Kent, there's a massive doctor shortage that the municipality is actually working very hard to overcome. I've been told that Essex county alone is in need of over 100 doctors—and Leamington is part of that Essex county, but part of my riding.

So, on behalf of my constituents, thank you for amending this bill to make it easier for them to benefit from these new leaves. By allowing doctors, registered nurses and psychologists to sign off that a patient requires family care, we offer these benefits to many, many more Ontarians.

Another concern that was voiced about Bill 21 was that it didn't offer enough flexibility in terms of the amount of time that an employee must take off to provide care. Originally, the bill provided blocks of weeks for an employee to provide care. However, for many caregivers in this province, a week may be much longer than they actually require. Oftentimes, a caregiver only needs to take a day or two or an afternoon off to provide care for their family member. Perhaps a caregiver in Blenheim simply needs to drive their mother to the hospital in Chatham or stop by to do some household chores that the patient is unable to complete on their own. In these cases, a week's leave would be unnecessary. It would be much more convenient for these individuals to take a day off every now and then and provide care as needed, instead of having to take a whole week off work.

Additionally, many Ontarians simply cannot afford to take off an entire unpaid week of work. I hear from constituents every week who are having a tough time keeping up with their bills. Unfortunately, their bills are about to get even higher, as just recently the Liberals confessed, with the release of their long-term energy plan of 2013. This is not to be mistaken with their long-term energy plan released a couple of years ago. Yesterday, Ontarians learned their energy bills can barely keep up with—and they'll be increasing.

*Third reading debate deemed adjourned.*

**The Acting Speaker (Mrs. Julia Munro):** Pursuant to standing order 38, the question that this House do now adjourn is deemed to have been made.

## ADJOURNMENT DEBATE

### PROPERTY TAXATION

**The Acting Speaker (Mrs. Julia Munro):** The member for Leeds–Grenville has given notice of dissatisfaction with the answer to a question given by the Minister of Finance.

The member has up to five minutes to debate the matter, and the minister or parliamentary assistant may reply for up to five minutes.

1800

**Mr. Steve Clark:** I'm pleased to provide further detail on how MPAC is stifling local food production in my riding of Leeds–Grenville.

Whether it's soaring hydro rates, endless red tape, outdated labour laws or, in the case we're debating today, MPAC assessments, business owners feel like they've fallen behind before they even get started. The government just can't grasp the fact that when it's more costly to do business in Ontario, jobs disappear.

And it's not only jobs that they are driving away. I'm just as concerned that they're killing the entrepreneurial spirit we must encourage if we're ever going to get Ontario turned around.

In the part of Ontario that I represent, many of the entrepreneurs we're relying on to boost our rural economy are found on farms. In my question to the Minister of Finance, I mentioned two examples of local entrepreneurs: Nigel Smith and the McGurrins.

I want to concentrate my remarks tonight on Nigel, because unlike Terry and David McGurrin's pancake house at Edgewood Farms, MPAC hasn't shut him down yet.

Nigel is quickly gaining a reputation for the fantastic artisan cheese he makes at Bushgarden Farmstead Cheese, located in Rideau Lakes township. I've had the pleasure of sampling what he's making, and I have to tell you, Speaker, it's fantastic. His cheese is exactly the kind of value-added processing we have to encourage if we're truly serious about promoting local food in Ontario.

Despite the great quality and growing market, it was an incredible struggle for Nigel to start making his cheese

just over a year ago. He battled the government's red tape for three and a half years before he had the necessary improvements. You have to admire his determination. I know his dad, Bob, said it was a real kick to Nigel, the day the MPAC taxmen walked up the laneway.

After heading back to the comfort of their office, those MPAC inspectors slapped an industrial classification on the small building where milk is pumped. Let me set the scene: This building is not quite 1,000 square feet, so it comprises about 0.013% of Nigel's 160-acre farm. But changing the classification of that tiny building from farm to industrial had a huge impact on the property, and Nigel was faced with a hit of an additional \$1,200—all this because the MPAC assessors don't know the difference between artisanal and industrial.

That was exactly my point that I made to the minister last Thursday: "Industrial" is the exact opposite of what happens on that farm, and I wish someone would just sit down and explain that to MPAC.

Many of us had the opportunity last week to go to the Ontario Federation of Agriculture banquet. I sat with representatives of Leeds–Grenville, and we picked up the discussion about MPAC's value-added assessment nonsense that we started in my constituency office two weeks ago.

Now, I know the government has heard OFA's position, but I think it's very important for those listening today to have me read it on the record.

OFA says, "Ontario must retain and build food processing capacity to have a successful agriculture industry. However, the current property tax classifications penalize farmers for adding value to their farm products."

That, Speaker, is really the bottom line. The government can't talk out of both sides of their mouth. When a farm decides to add value and get that local food producing and helping the local economy, the government can't then treat them like a cash cow by sending in the MPAC taxmen. Put another way, local food can't be the golden egg of the rural economy when Premier Wynne and her finance minister let MPAC kill the goose that laid it.

I'm going to quote something else in the very limited time that I have. It's from the Christian Farmers Federation of Ontario's commentary. Their quote: "Recently, the CFFO has become very concerned about incidents of increased taxation levels on buildings used for on-farm value-added cycle. Farmers find themselves in the midst of a counterproductive cycle.

"On the one hand, government agencies encourage farmers to add value to their product. At the same time, other government agencies, notably the Ontario Ministry of Finance, marginalize the financial benefits of value-adding by adjusting taxation levels on buildings used for that purpose.

"This is obviously not a sustainable situation."

It sounds a lot like the question I asked the finance minister last Thursday. So I hope the parliamentary assistant, the member for Vaughan, isn't going to stand up and pay lip service to this issue, because it's a huge issue in the rural economy. I want him to stand up and

assure people like Nigel Smith and Dave and Terry McGurrin and other on-farm entrepreneurs like them, whether it be in Leeds–Grenville or across Ontario, that MPAC has new marching orders. They've already shut down the pancake house after a dozen years. I don't want Nigel Smith's farm to be the next casualty of MPAC.

**The Acting Speaker (Mrs. Julia Munro):** The parliamentary assistant has up to five minutes.

**Mr. Steven Del Duca:** I'm pleased to have the opportunity to stand in my place and to further respond to the question posed by the member from Leeds–Grenville last week to the Minister of Finance. As you know, Madam Speaker, our government is committed to supporting small businesses, to help them grow and to create jobs. That is why, among other things, we have put in place a competitive tax system for business and cut the marginal effective tax rate, a key determinant of business investment, in half.

To help agri-food producers in the province, this government introduced the Local Food Act, 2013, which promotes the good things that are grown, harvested and processed in Ontario. The new legislation is part of a strategy to build Ontario's economy by making more local food available in markets, schools, cafeterias, grocery stores and restaurants. This will create jobs and expand the province's crucial agri-food sector.

Building a stronger agri-food industry is part of our government's economic plan to support a dynamic and innovative business climate, invest in people and invest in modern infrastructure. Speaker, as we all know and we all agree, good things definitely grow here in Ontario.

But that's not all that we've done to support businesses in this province. Since 2007, the Ontario government has cut high business education tax rates, resulting in savings of over \$200 million per year to businesses. This has maximized the economic benefits of the initiative in terms of addressing tax inequities and distortions and levelling the playing field for businesses facing decisions about where to build new manufacturing facilities or other business complexes.

Of course, Madam Speaker, this government has introduced Bill 105, the Supporting Small Businesses Act, just this past season. This bill, provided it passes, will help 60,000 small businesses, charities and not-for-profits grow and save more money by cutting payroll taxes effective January 1. Almost 90% of private sector employers would be exempt from paying the employer health tax. This would save them up to \$975 annually. More than 12,000 employers would no longer pay the tax bill.

I am happy to speak about the fairness of property tax classifications, Madam Speaker. A key principle of the property tax system is ensuring consistency so that similar properties are taxed in a similar manner, regardless of where they're located. So, for all farm-related activities, we apply the following property tax classifications with a view to providing consistent treatment to activities located on or off farms. The portion of a property used for primary agriculture, such as growing

crops or raising livestock, is included in the farm property class. The portion of a property used for selling farm produce, such as a store or restaurant, is included in the commercial property class. The portion of a property used for processing or manufacturing—for example, making wine—is included in the industrial property class.

In response to requests from the agricultural sector and from municipalities, our government has taken action to bring consistent and equitable property tax treatment to a number of agricultural activities since 2003, including farm bunkhouses, sour cherry processors, maple syrup producers and equestrian farms. We continue to enjoy a productive dialogue on farm property assessment issues, Madam Speaker, through a multi-party working group that includes representatives from the Ontario Federation of Agriculture, from municipalities, from the Municipal Property Assessment Corp. and the Ministry of Agriculture and Food.

Where there is ambiguity or lack of clarity or inconsistency in the property class definitions, we will continue to address individual issues as they may arise, which brings me around to the Special Purpose Business Property Assessment Review. As many in this House will know, in the 2013 Ontario budget, the provincial government announced that we would be conducting a review to identify opportunities to further strengthen property assessment processes and the property tax system in Ontario. Speaker, I am proud to say that, on behalf of the Minister of Finance, as his parliamentary assistant, I am leading this particular review and have been working very closely with a number of important stakeholders and partners across the province across a wide variety of special-purpose business properties, including farms, to try and strengthen Ontario's property assessment system. So the House knows and so the member from Leeds–Grenville knows as well, we intend, and in fact can confirm, that the final report back to the minister will be released before the end of 2013.

Just so we're clear, this review is focused on areas where municipalities and taxpayer representatives expressed an interest in working with the province, including clarifying and refining assessment methodologies applied to special-purpose business properties such as mills, landfills and billboards. It also includes looking at the assessment, specifically, of farm properties, reviewing the timelines for assessment appeal processes and considering other opportunities to strengthen MPAC.

I look forward to delivering this report shortly, just as I look forward to working with this government and this Legislature to implement our three-part plan to grow Ontario's economy and create jobs by investing in people, building modern infrastructure and supporting a dynamic business climate.

**The Acting Speaker (Mrs. Julia Munro):** There being no further matter to debate, I deem the motion to adjourn to be carried. This House stands adjourned until 9 a.m. tomorrow.

*The House adjourned at 1811.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
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Speaker / Président: Hon. / L'hon. Dave Levac

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Tonia Grannum, Trevor Day, Anne Stokes

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

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Bartolucci, Rick (LIB)	Sudbury	
Berardinetti, Lorenzo (LIB)	Scarborough Southwest / Scarborough–Sud-Ouest	
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Delaney, Bob (LIB)	Mississauga–Streetsville	
Dhillon, Vic (LIB)	Brampton West / Brampton-Ouest	
Dickson, Joe (LIB)	Ajax–Pickering	
DiNovo, Cheri (NDP)	Parkdale–High Park	
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Flynn, Kevin Daniel (LIB)	Oakville	
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Harris, Michael (PC)	Kitchener–Conestoga	
Hatfield, Percy (NDP)	Windsor–Tecumseh	
Hillier, Randy (PC)	Lanark–Frontenac–Lennox and Addington	
Holyday, Douglas C. (PC)	Etobicoke–Lakeshore	
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Jackson, Rod (PC)	Barrie	
Jaczek, Helena (LIB)	Oak Ridges–Markham	
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McKenna, Jane (PC)	Burlington	
<b>McMeekin, Hon. / L'hon. Ted (LIB)</b>	Ancaster–Dundas–Flamborough– Westdale	Minister of Community and Social Services / Ministre des Services sociaux et communautaires
McNaughton, Monte (PC)	Lambton–Kent–Middlesex	
McNeely, Phil (LIB)	Ottawa–Orléans	
<b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>	Ottawa–Vanier	Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
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<b>Miller, Paul (NDP)</b>	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	Third Deputy Chair of the Committee of the Whole House / Troisième vice-président du comité plénier de l'Assemblée législative
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Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
<b>Sandals, Hon. / L'hon. Liz (LIB)</b>	Guelph	Minister of Education / Ministre de l'Éducation
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Sylvia Jones, Monique Taylor  
Soo Wong  
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