



ISSN 1180-436X

**Legislative Assembly
of Ontario**

Second Session, 40th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 40^e législature

**Official Report
of Debates
(Hansard)**

Wednesday 5 March 2014

**Journal
des débats
(Hansard)**

Mercredi 5 mars 2014

**Standing Committee on
the Legislative Assembly**

Committee business

**Comité permanent de
l'Assemblée législative**

Travaux du comité

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<http://www.ontla.on.ca/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7410 ou le 325-3708.

Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
THE LEGISLATIVE ASSEMBLY**

**COMITÉ PERMANENT DE
L'ASSEMBLÉE LÉGISLATIVE**

Wednesday 5 March 2014

Mercredi 5 mars 2014

The committee met at 1200 in committee room 1.

COMMITTEE BUSINESS

The Chair (Mr. Garfield Dunlop): Okay, folks. It's 12 o'clock and we're going to continue the Standing Committee on the Legislative Assembly and Bill 122, An Act respecting collective bargaining in Ontario's school system. Today we're scheduled for clause-by-clause, but we do have a motion by Mr. Balkissoon on the floor and also an amendment.

Mr. Balkissoon.

Interjection.

The Chair (Mr. Garfield Dunlop): Okay. Just to be clear, the amendment from last week that called for committee hearings for today would be ruled out of order because we have no way of advertising for today when it's already the day.

We'll go back to the motion by Mr. Balkissoon. Did you want to read it again?

Mr. Bas Balkissoon: I can read it again.

The Chair (Mr. Garfield Dunlop): Okay. Maybe you should.

Mr. Bas Balkissoon: I move that the committee seek the authorization of the House leaders to meet on Tuesday, March 11, and Wednesday, March 12, 2014, between 9 a.m. and noon and 1 to 5 p.m., for the purpose of clause-by-clause consideration of Bill 122.

The Chair (Mr. Garfield Dunlop): Discussion on that? Any more comments, Mr. Balkissoon?

Mr. Todd Smith: I would like to comment on that.

The Chair (Mr. Garfield Dunlop): Just give him a chance to—

Mr. Bas Balkissoon: Mr. Chair, I basically moved the motion because this is an important piece of legislation. The government has done a lot of work with the stakeholders and we attempted to move this into the House as fast as possible during the break over Christmas. Unfortunately, everybody was not available. We're off next week. Just to speed up the process, I'm trying to see if we could get two days assigned next week.

The Chair (Mr. Garfield Dunlop): Any more comments from the government side right now on that? Okay, Mr. Smith.

Mr. Todd Smith: Thank you, Chair. I would agree that this is an important piece of legislation. As we've discussed at length, in our opinion as the official oppos-

ition, we haven't had the public hearings expanded to include a larger scope of people in the province who are very important. As I've mentioned before, those people are the parents of the students who are in our school system right now. I would maintain that the way that the committee was set up and the public hearings were advertised, we never did have the opportunity for parents to be fully consulted on this. I know the parliamentary assistant had said in a previous meeting that this wasn't really a concern for parents out there, but I can tell you that it's a huge concern for the parents in Prince Edward-Hastings who I speak with. I know that it's a huge concern for parents in Cambridge, where my colleague Mr. Leone is the representative, and it's a huge concern for parents right across the province.

I can tell you that in the heat of Bill 115 and the controversy surrounding the McGuinty government's bill that was brought forward, my constituency office was inundated with calls, emails and correspondence from concerned parents that this type of incident could occur again. There were many teachers, actually, who reached out to me and my office who said that they were concerned about extracurricular activities in particular being suspended as part of job action on behalf of the various teachers' associations that were involved in the federations.

Many of the football coaches in my area, for instance, thumbed their nose, actually, at their union's mandates that they not participate in football practices and that they not organize their teams for the upcoming season in the fall of that year. Some, though, out of fear that those extracurricular activities would result in some kind of sanctions against them, didn't carry out their football practices, and the football programs were suspended.

I can tell you that many parents were concerned. Their child was involved in a curling bonspiel and they had paid the \$60 or \$80 to register their team in that bonspiel. At the last minute, because of strike action or job action, they were unable to send their sons and daughters to these various bonspiels. So there is a large concern when it comes to the extracurricular aspect of this.

I believe and I still maintain, and I know my colleague Mr. Leone maintains, that parents out there were never given the opportunity to participate in this process. The education minister, in response to a question from Mr. Leone yesterday in question period, admitted as much: that those stakeholders had been consulted, but there are

an awful lot of stakeholders out there who weren't invited to participate in the proceedings.

We were simply asking that because of the way the committee format was advertised and the fact that there was already a full slate of participants ready to go—I believe the number was 12 that we heard from the public hearings process, yet the government was trying to shut out any further participation from stakeholders across the province by limiting it to the one day, when the day of public hearings was already a full schedule. We just maintain that there should be an extra day of public hearings so that we can hear from interested parties from across the province who would like to come in to speak about the situation that they faced in their personal ordeal. They would like the opportunity come here to make sure that this bill prevents that type of activity from happening again.

As a matter of fact, we heard from one of the Catholic trustees who presented here at public hearings that that group of individuals would also like to see extracurriculars included in the job description for our teachers in our schools.

I would argue again, and I know Mr. Leone is with me, that we open up this committee again to an additional day of public hearings. I have a long list of constituents in my riding who have written to me, knowing that I am a part of this committee and that we are discussing this very important piece of legislation, that we should get it right; and they would like the opportunity—I know Mr. Leone has a list of participants as well who would like the opportunity to come in and speak to the committee and express their concerns over what happened in their personal situations.

There were grade 8 graduations that were cancelled in my riding because of the threat that the unions were presenting to their members. In many cases—again, many cases, Mr. Chair—the teachers who were involved in these various extracurricular activities, whether it be the yearbook committee, the graduation ceremony, the debating club, sports activities or the various committees that exist in our schools—that they have an opportunity to come and appear before our committee to tell their side of the story so that when we are passing this legislation, we make sure that we have all of our bases covered and the public hearing process actually is a public hearing process.

I think there's a feeling out there in the community that the public hearing process has been a farce and that it's been set up from the start to include only those parties that the government wants to hear from. I think it was evidently clear when we were arguing this motion a couple of weeks ago that they were very close-minded to the idea of having parent groups or maybe even individual teachers—who knows?—show up here and appear before our committee to tell us about their situations and what should be included in this legislation.

I believe that if we're going to have public hearings, they should actually be public hearings. The fact that the public hearings were advertised and we were looking for

people to appear before this committee in spite of the fact that we had no slots for them to appear in and testify or bring their stories to our committee is a farce. It just goes to show that the government wants to close out any kind of public opinion there might be on Bill 122. I don't think that's the way that we should be operating in this democracy that we live in. It reminds me so much of what happened with the Green Energy Act and the fact that in the Green Energy Act, they completely shut out local decision-making in the process, hearing from local municipalities or from local residents to ensure that we got it right.

1210

I think, when you look at what has happened with the Green Energy Act, Chair, it has been an absolute debacle right across the province. Why would we repeat that type of scenario in our education system? The government has messed up the energy system in the province so badly because I don't believe there was proper public consultation in the process. Municipalities were uninformed about what was going on, and then they were cut out of the process. We're seeing the ramifications of that right across the province on a daily basis.

So I would question the motives of the government in trying to push this through without involving as many people as we possibly can to ensure that we get this right, because the last thing that we want to have is another piece of legislation that wasn't well thought out, that those people in the province who have concerns about this weren't consulted and weren't given the opportunity to bring forward their potential amendments to this bill as well. I'm sure that there are many concerns out there.

It's alarming to me as well that there is this rush to get this passed. I understand there may be some motivations as to why the government feels that way and why they want to get this pushed through and that we don't have the proper consultations. But it seems only fair to me that we be able to meet at least one more time and invite people from the community and from across the province to come. We've been centred in Toronto, too. We did have a few call us from their office, wherever it might be across the province, to tell us their thoughts on the legislation, but I think we deserve an opportunity to really open this up, have public consultation and make sure that we get this right.

We have a number of amendments, of course, that are before us. I believe that if we were granted an additional day to hear from parents out there, teachers, perhaps even some students and student trustees who would like to appear before the committee—I believe that we do that.

So I would encourage our government members to give us one more day of public consultation on this. I don't know if Mr. Leone has some comments. Did you have some comments?

The Chair (Mr. Garfield Dunlop): Try to keep it to the motion. They are asking for two more days of clause-by-clause.

Mr. Todd Smith: Right. Clause-by-clause is fine, Mr. Chair, but what we would really like is one more day of

public consultation. I understand that the motion that was put forward by Mr. Leone—

Mr. Rob Leone: It has been ruled out of order.

Mr. Todd Smith: It has been ruled out of order, so I would like to put forward another motion, an amendment to the motion.

I would move that the motion be amended by striking out “seek the authorization of the House leaders to meet on Tuesday, March 11, and Wednesday, March 12, 2014, between 9 a.m. and noon and 1 to 5 p.m.,” and that it be replaced with “meet for the purpose of public hearings on March 19 and 26, 2014; and that the committee also meet on April 2 and 9.”

Do we have photocopies of that? Have they been distributed?

The Chair (Mr. Garfield Dunlop): We need about a five-minute recess to make copies for everybody. Okay?

The committee recessed from 1214 to 1220.

The Chair (Mr. Garfield Dunlop): Okay, we’ll call the meeting back to order, everyone.

I think everyone should have a copy of the motion moved by Mr. Smith. Do you want to read that again to everybody, to make sure it’s okay? Mr. Smith, I’ll ask you to read it again, and then we’ll open it up for discussion.

Mr. Todd Smith: Thank you, Chair.

I move that the motion be amended by striking out “seek the authorization of the House leaders to meet on Tuesday, March 11, and Wednesday, March 12, 2014, between 9 a.m. and noon and 1 to 5 p.m.,” and that it be replaced with “meet for the purpose of public hearings on March 19 and 26, 2014; and that the committee also meet on April 2 and 9.”

The Chair (Mr. Garfield Dunlop): Would you like to speak to that, and then we’ll move it around—

Mr. Todd Smith: Yes, thank you very much.

As I was alluding to earlier, I think it’s only fair that we open up these proceedings and open up the hearings to parents from across the province or other consulted stakeholders. I can tell you honestly, Chair, that when all of this was going on and the Bill 115 situation, in my riding the phone lines were lit up in my constituency office.

My wife happens to be a high school teacher as well, and I can tell you that I have many friends who are teachers, very good teachers, and they were very upset at the prospect of not being able to participate in the extra-curricular activities that they volunteer for and that they were very excited about, to be quite honest.

There were many sports coaches, there were many organizers of school clubs and graduations and school trips, who wanted the opportunity to continue to perform those activities. At the end of the day, they were disappointed with what transpired, that they were unable to provide those types of functions for their students. Most of the teachers I know are in this profession because they actually care about the students and want them to excel.

However, there was this threat that was hanging over their heads, and they want that to be addressed in the legislation that we’re talking about. I think it would be an

enlightening type of conversation for us to have if we actually broadened the scope of public hearings to include these individuals who may want to appear before our committee to share their stories.

As I told you earlier and told the committee earlier, there are many individuals who have expressed a concern about the way that this committee has, so far, held its “public hearings,” and I know my colleague Mr. Leone has heard from many potential stakeholders out there as well who would like the opportunity to come in here and address the important piece of legislation that we’ve been talking about.

Just thinking back to that time, Chair, I know that there were many teachers who wanted the opportunity to get their sports teams on the field, because there are so many of our young athletes out there who can enhance not just their public school careers, but they can also enhance their post-secondary school careers by getting a scholarship from a university. What happened with the implementation of Bill 115, and the job action that occurred because of that, was that there were many young athletes who didn’t have the opportunity to hit the field or to hit the basketball court or volleyball court or the swimming pool or the curling rink or the hockey rink and show potential university and college scouts how good they were in their particular sport and activity. There were a lot of students who weren’t given the opportunity to show their stuff on the field of play because of what happened.

We should really make sure that we eliminate that type of incident from happening again in our public schools. I think we all agree in this room that extracurricular activities are extremely important to the entirety of the school day and the school experience, whether it’s elementary or secondary school, for that matter.

Another item that was very concerning to me and to parents in Prince Edward–Hastings was that in a lot of cases, there were students who needed extra help, in math in particular—and I know my colleague Mr. Leone has presented some scenarios that would help improve the math scores and the experience for our young students in learning math. He presented those earlier this morning, and I’m sure he’ll want to address that a little bit later.

There was a big concern, with parents in my riding, in cases where students just needed a little extra help. There were teachers, of course, who wanted to provide help to those children, but again, out of the fear of sanctions against them, they didn’t perform those duties. I know it was a heart-wrenching kind of ordeal for a lot of teachers out there, because they wanted to provide those services and they wanted to do what they got into this career to do, and that is to help young students learn. But there was this fear hanging over their heads that they would be punished if they provided those types of tutoring services or extra help after class. I know we heard a lot about that from the broader community, and I think it’s something that we need to address.

Another issue that was a big concern, especially in some of the more rural areas in particular, is that when these protests were happening or the job action was

taking place, there was no notice, or not much notice, in the communities in alerting the parents that there wouldn't be school that day. I think there needs to be a broader discussion as to how we can prevent that from happening again.

We have many families who have two parents who are working, trying to make ends meet, and they have children who are going to school during the day. Then, with little or no notice, it's sprung on them in the morning that there won't be school that day, that things that they anticipated would happen that day weren't going to take place, and it created a lot of animosity between parents and the teachers. There was a lot of outrage, actually, and I know the talk show phone lines were lit up like Christmas trees with parents who were fed up and just felt like they weren't being treated fairly, either, as a part of this process.

Many, many people contacted my office about that issue, that suddenly they had to find someone to look after their children for the day because they weren't going to be transported to school. I believe that's another issue that could be discussed here at committee, that parents should be consulted on these types of issues as well.

There were many school trips that were cancelled. Parents had paid the fees to send their children on these school trips. As you'll recall, I'm sure, in your school days, which were a number of years ago, Chair, you looked forward to that field trip every year. It was on your calendar when you were in grade 1 that when you were in grade 4, you were going to go on that ski trip and have a great time with your classmates. A lot of those school trips were cancelled as well. Of course, the parents are paying for their children to participate in these school trips and, in some cases, the fees had been paid and the parents were fully anticipating and the students were fully anticipating the opportunity to head to these school trips, wherever they might be.

I recall that one very popular trip in school in the Prince Edward–Hastings area is a trip to Quebec City that the students take every year. As you can imagine, it's a highlight of their public school experience. When they get to grade 8, they get the opportunity to go to Quebec City and learn about the history of Quebec City and experience what life is like in La Belle Province. Unfortunately, that was denied them because of job action.

There are so many people who have so many concerns that we get this piece of legislation right. I think it's only proper and only fair that this public hearing process actually include participants from outside the teachers' unions, federations and associations, the school trustees' associations and the school boards. Essentially, that's who we've heard from in the opening day of public hearings. But we didn't broaden that scope, and I think it's only fair, when you call them "public hearings," that they actually include the public and allow the public to participate.

1230

That's why we're bringing forward this motion. We think it's only fair that we have an extra day or two of

public hearings. Advertise it properly. If the slots fill up, which we anticipate they will, with people who have a real concern about getting this bill right—that they have every opportunity to make the trip here to Toronto or join us by teleconference or however they wish to participate.

The process so far has been very one-sided. I know the government continues to say that the stakeholders that really care about this have been consulted, but I think the government members are very closed-minded about the fact that there are a lot more people who have concerns about this process than just the teachers' federations and the associations of trustees and the school boards—and that we hear from all of these individuals, or at least give them the opportunity, when, so far in this process, they have been shut out. I have deep concerns about this. As I mentioned earlier, it reminds me an awful lot of what we've experienced with the Green Energy Act, and the fact that the government is doing what it wants and takes a very one-sided approach to getting things passed. We need to have the public consultations.

All three parties have said this is a very important piece of legislation. We need to get it passed. I understand that, and I think we all agree that we need to get it passed. But more importantly, when you're dealing with an important piece of legislation, I think the most important thing is to make sure we get this very important piece of legislation right. If we don't include comments from people from the community, and parents, it's a great disservice to what we were sent here to do, and that is to represent our constituents, first and foremost, but to make sure that when we pass laws, they're actually good laws that make sense for the people of Ontario.

Again, I would encourage the members from the government side, and the third party as well, to support this motion. I can't understand why they wouldn't want to support this motion to allow interested parties the opportunity—it's not a lot of time; it's a couple of days—to come in, tell us what they think, what their concerns are, and then we move on from there.

I'll wrap up my comments with that. Thank you.

The Chair (Mr. Garfield Dunlop): Okay. Further debate? Mr. Leone.

Mr. Rob Leone: I would want to congratulate my colleague from Prince Edward–Hastings on coming forth and joining the fight for what we consider an important element of what we're doing here, which is to provide full public hearings on Bill 122.

At the outset, I want to first explain that we've always believed that only having one day of public hearings on this very important piece of legislation is simply inadequate. We have always, always sought to enrich ourselves, as committee members, about the content of this legislation. I think we went through a very fruitful process last week when we engaged in our first session of public hearings. I learned a lot about what folks were saying about this particular piece of legislation.

But, Mr. Chair, I want to say very clearly that since that time, and since our position was made in committee last week, I know that members of the PC caucus, and

my colleague here from Prince Edward–Hastings, from people from his riding—I’ve heard from people from my own riding and from people who were interested in education, right across the province of Ontario, wanting to come forward with some ideas about this particular piece of legislation.

I think it’s important to note that we have been consistently behind the principle that our parents have to be at the centre of our education system. We’re concerned that there’s a further erosion of that solid principle and that parents are no longer at the centre of education but they have to face all the ramifications of not being a partner in education.

I’m very concerned that throughout the course of our discussions and deliberations on this particular piece of legislation, we continually talk about partners. Those partners always include the teacher federations, as they should. They always include the trustee associations, as they should. But I have never heard from the government that parents are, and should be, partners in the education system.

As a parent, that gives me cause for great concern. As my children start their education, I thought we would have a system that is obviously responsive to their needs and concerns but also producing the best students from the best teachers in the province of Ontario. I think we can do a lot to promote that great concept. We’re doing a good job in our schools, but I think there’s room for improvement.

As my colleague from Prince Edward–Hastings has suggested, I released some of those ideas this morning, talking about student success. For me, that is the most important principle that should guide all of our discussions: How could we improve student success going forward? We have identified—not just us, but everyone has identified the challenges that we have received through math education in the province of Ontario. Our test scores have declined, and that’s pretty much right across the board.

Our EQAO results have declined over the last decade. International comparisons are showing that we have received a drop in both our PISA and TIMSS math tests by significant margins. In fact, we’ve made the claim today that on many of those margins, we were actually doing better in 2003, when we left office, than we’re doing today. That’s despite spending \$8.5 billion per year more in education while serving 250,000 fewer students.

That, in a nutshell, Chair, is where we’re coming from on this bill. We want to make sure that we’re doing our utmost to return focus to parents’ and students’ success. It is of vital importance that an education system be concerned about that.

I was very concerned that the Minister of Education was quite flippant when she dismissed essentially the decrease in math scores that we’ve seen in the PISA in particular, and that gives me cause for concern not only as an education critic but also as a parent in the province of Ontario. I think those kinds of comments should be brought to light, and certainly through the course of our

deliberations on this bill and on education in general in this Legislature we’ll have the opportunity to do that.

I want to reference a comment made, I believe, by the member for Scarborough–Rouge River a couple of weeks ago when he suggested that “the public out there that is really involved in this collective bargaining is most of the groups that I mentioned in my opening remarks. It’s not the general public who has a kid going to a school. I don’t see them getting involved in the collective bargaining strategy, in details and whatever. Well, there might be one or two, but everybody out there knows that this bill has been presented to the House and sent to committee for public hearings.”

Now, I know the member has stated this, and I think he’s repeated it again, but my question is, how do we know that? How do we know that there aren’t parents out there who want to talk about this particular piece of legislation? I don’t know if the member’s not receiving the kinds of correspondence, phone calls and emails that I know I am, and I know the member for Prince Edward–Hastings is as well. I would like to know exactly how anyone can determine whether there aren’t any parents out there who want to talk about education in the province of Ontario. I know through my experience as the education critic that there’s nothing more that a parent wants to talk about than the education system that’s before us.

I would challenge the remarks. I think that parents actually do have a vested interest in what the outcome is, in particular because so much of education policy today is being left up to the bargaining process. If that is the case, if so much of our education policy is being left up—whether it’s class sizes, whether it’s other items involving supervision time, whether it’s parent-teacher interviews or whether it’s the provision of extracurricular activities, more and more, all of those activities are being subjected to the collective bargaining process. It would mean, from our perspective, that contrary to the Liberal belief that parents aren’t concerned about this, I believe that parents ought to be concerned about them, and the fact that they have not been considered as a partner in education certainly is a great concern to me. I want to open these public hearings up simply because we have an obligation as members of this Legislature to talk to people, and I know that we have heard various concerns about what is transpiring in our schools.

1240

I know of a family in my riding that is very concerned about the fact that, come September, we’re going to be in the midst of another collective bargaining season in education in the province of Ontario. This parent has a child who is trying to get a sports scholarship in the United States. The child is ranked in the top 100 prospects coming out of Ontario, and there is great concern that that child will not have a football season to then go on to pursue that scholarship. So there is lots of concern about that process, and there are lots of stories out there.

I know report cards were distributed within the last few weeks. Through that process, we’ve heard from parents who are concerned that parent-teacher interviews

are no longer mandatory, have not been scheduled by schools—not to say that all schools are doing that—but that the onus is put on the parent to contact the teacher if they want to talk about their child’s success. I want to talk a bit about that, because what I’m hearing from teachers is that the response rates for actually engaging in discussions about their child’s education are significantly lower today, in the absence of the institutional component of parent-teacher interviews that allows parents to set times with their teachers as part of the week. I have some great concern about that.

We have heard from some teachers who suggested that in the process of putting out their requests for parental feedback, they sent out a colour coding of remarks. There are three sets of letters: a red letter that suggests that parents who receive this red letter must come and see the teacher because their student is facing some challenges in the school system; a yellow letter that the teacher sends out that says, “You know, there is some benefit for you coming to meet me”; and a green letter that says, “Your student is doing fine, and if you want to come and talk to me about what’s going on in the classroom, I’m happy to entertain those requests.” The net result of that, he claims, being a teacher for the last several years, has been that those who received the green letters were the parents that overwhelmingly responded to the teacher’s request, and those who received the red letters failed to do so.

As a parent, I’m kind of disappointed—not kind of; I am disappointed—to hear that, but as someone who is in the Legislature, it’s heart-wrenching. The very people who actually would benefit the most from parent-teacher interviews are the very ones who aren’t going to be able to engage in that process, or aren’t responding in that way to the teacher’s request for a meeting.

Now, I feel that if we had stand-out days where it’s on the school sign outside of their school and it says, “Parent-teacher interviews are happening this weekend,” or during certain allotted time slots, the response rate, particularly for those who require that communication from their teacher and specific relaying of strategies to improve student success—it’s simply not happening today.

I would suggest that if we had public hearings, some parents might come forward to talk about that process. At the end of the day, my interest is to ensure student success, and there are ways in which we can incent that and gravitate to some ideas that might provide some way of going forward in that.

So, contrary to the belief that parents may not have an interest in this—I know that even though some parents are talking about some things in education that they aren’t cognitively linking to Bill 122, I think the discussions that we are having here could play into their desire for more public hearings.

At the end of the day, my colleague from Prince Edward–Hastings has suggested that we engage in two more days of public hearings. I think the committee would do well to listen to that request because I know that the public is very interested in what we’re doing

here, and I think we have to do a better job of communicating that education is a very important element.

This bill has a significant effect on what the education system might look like going forward. Even though it identifies the very process that establishes tables and central bargaining and local bargaining and who the parties are to the bargaining process, the very fact that there is that structure in place could have an impact on what’s happening with our education system. So I think we owe it to the people of Ontario to engage in further public hearings on this particular matter.

I am quite concerned that the minister, in question period yesterday, stated the fact that the government has been having all these consultations and all these public hearings and everything is being done to do all this work, and I appreciate the fact that the minister might be having public hearings with who the minister sees fit to talk to. But I’m concerned that the minister hasn’t had public hearings with the very people who are affected by these changes that are going to be made, namely, the whole education system as a whole.

I appreciate that the minister has reached out to the teaching federations. I appreciate the fact that the minister has reached out to trustee associations. I appreciate the fact that they’re trying to establish a process, but at the end of the day, are we actually going to talk to the very people who are going to be affected by the outcome of the process, who are our students?

Again, I can restate this all day, Chair: Our interest is in seeing student success.

How much time do I have, Chair?

The Chair (Mr. Garfield Dunlop): You have six minutes left.

Mr. Rob Leone: Six minutes.

The Chair (Mr. Garfield Dunlop): It’s a 20-minute rotation.

Mr. Rob Leone: Okay. Well, I want to just state a couple of things. Maybe I’ll cede that for the moment and move to what I want to talk about with respect to this motion.

I think this motion has been crafted with the explicit purpose to solicit more public consultation. As it’s suggested, the motion states that we should have public hearings on March 19 and March 26, 2014. The reason for doing so, Chair, is, I believe—and why I support this motion—that we require and we owe it to people to advertise this, to solicit some feedback, to go out to the people who have reached out to us on this bill, to tell them to come forward and talk about some of the issues surrounding this particular piece of legislation and the education system as a whole.

Chair, I realize that next week is March break. I have a kid, and I know my kids are going to be on March break, and the very people who may be interested in coming forward to this particular committee, from our perspective, may be tied up with March break, with caring for their children or they might be going on vacation. So there is a reason—I think a very solid rationale—to have public hearings commence on March 19 of this year so

that we avoid the complexities of dealing with March break.

I know that people have already pre-made their travel arrangements, and to expect them to come next week and change their travel arrangements I think would be not in good faith in terms of trying to solicit the public hearings and the consultations that we're seeking.

I think it's a very important piece to note, that one of the reasons why I believe the member for Prince Edward–Hastings—I don't want and don't mean to put words in his mouth, but I believe he moved this amendment to suggest and consider that public hearings should take place outside of that week so that we would do our best to not only advertise to the people who might want to come, but that we also consult our stakeholders. I think we are going to be challenged with the time crunch already. I do realize that there is a PD day on Friday, which is already going to complicate people's travel arrangements. They're going to leave a little earlier, rather than later. We're going to be under a crunch with respect to trying to get this stuff out before the break.

Having said that, even if that is the case, we do have Monday, Tuesday—Monday, March 17, I believe, which is St. Patrick's Day. I know my colleague is very excited about the fact that we are celebrating St. Patrick's Day on the 17th, and maybe he'll entertain authorizing some green beer. Is that safe to say, that the member from Prince Edward—

The Chair (Mr. Garfield Dunlop): Back to the motion, please.

Mr. Rob Leone: You're salivating, Chair; I know that you're salivating.

Then on March 18, we have an opportunity as well, once the dust settles on St. Patrick's Day, to try and solicit some information.

Given that we are going to do that, if, for whatever reason those people that we've reached out to can't make the March 19 date, we have set aside March 26, in addition to March 19, as a date for public hearings.

Chair, I think what this motion seeks to do is to maximize the opportunity for public consultation. In addition to what I imagine are countless hours that the minister has provided, talking to everyone but parents, I think that we have an opportunity to talk to everybody, including parents. I think that's a contrast that we would make.

I would also suggest that there are actually key education stakeholders who have not had the opportunity to comment on this bill that I believe would have a vested interest in doing so. I think that we obviously owe them the opportunity. I met with one yesterday that didn't even know about the fact that—

The Chair (Mr. Garfield Dunlop): You have a minute left, by the way.

Mr. Rob Leone: —thank you—that didn't even know about the fact that we were having deliberations on Bill 122 already. I'm sure I'm going to have the opportunity at some point to talk about that, because I was quite shocked that the government would not reach out to other key educational stakeholders to discuss the merits of Bill 122 and the effect that it might have on the system. There

are lots of folks who have some commentary on the system and how this bill might affect it.

Chair, I'm going to basically leave it at that. I would strongly urge this committee to consider this motion, to consider further public consultation, and to not shut the door on debate on this particular issue.

I congratulate, once again, my colleague from Prince Edward–Hastings for bringing this amendment forward.

The Chair (Mr. Garfield Dunlop): Thank you. I'll turn the floor over to anybody else who would like the rotation on this, or a speech on this. Any further debate from anyone?

Mr. Peter Tabuns: Ready to vote.

The Chair (Mr. Garfield Dunlop): Okay. You've all heard—this is a motion—

Mr. Rob Leone: Can I have a 20-minute recess, Chair?

The Chair (Mr. Garfield Dunlop): Pardon?

Mr. Rob Leone: A 20-minute recess before we have the vote.

The Chair (Mr. Garfield Dunlop): A request for a 20-minute recess. Okay, a 20-minute recess, guys. Be back here at quarter after 1.

The committee recessed from 1253 to 1313.

The Chair (Mr. Garfield Dunlop): Okay, everyone, we'll call the meeting back to order. Our first order is to vote on the amendment.

Mr. Rob Leone: Can I have a recorded vote, Chair?

The Chair (Mr. Garfield Dunlop): Those in favour of the amendment?

Ayes

Leone, Smith.

Nays

Balkissoon, Cansfield, Crack, Tabuns.

The Chair (Mr. Garfield Dunlop): So the amendment is defeated.

Mr. Smith?

Mr. Todd Smith: Can I move another motion?

The Chair (Mr. Garfield Dunlop): Please go ahead.

Mr. Todd Smith: I move that the motion be amended by striking out “Tuesday, March 11, and Wednesday, March 12, 2014, between 9 a.m. and noon and 1 p.m. to 5 p.m.,” and that it be replaced with “Tuesday, March 18, from 3 to 6 p.m., for the purpose of conducting public hearings; and that the committee also sit for public hearings during the committee's regularly scheduled time on Wednesday, March 19, 2014; following public hearings, the committee shall meet on March 25 and 26, 2014.”

The Chair (Mr. Garfield Dunlop): We'll need a photocopy of that.

Yes, go ahead.

Mrs. Donna H. Cansfield: Can I ask a procedural question? Is this a new motion or an amendment to the motion that was before us?

The Chair (Mr. Garfield Dunlop): It's an amendment to Mr. Balkissoon's motion.

Mrs. Donna H. Cansfield: Right. So how can you put an amendment to a motion that was just voted on and lost?

The Chair (Mr. Garfield Dunlop): It's a different amendment.

Mrs. Donna H. Cansfield: It's a different motion then?

The Chair (Mr. Garfield Dunlop): It's a different motion, yes.

Mrs. Donna H. Cansfield: That's what I needed to know.

The Chair (Mr. Garfield Dunlop): Yes. We'll need a five-minute recess on this, so we'll come back in five minutes.

The committee recessed from 1314 to 1319.

The Chair (Mr. Garfield Dunlop): We'll reconvene the meeting. We have another motion. I'll ask you to read it again, Mr. Smith, and then make comments on it.

Mr. Todd Smith: I move that the motion be amended by striking out "Tuesday, March 11, and Wednesday, March 12, 2014, between 9 a.m. and noon and 1 to 5 p.m.," and that it be replaced with "Tuesday, March 18 from 3 to 6 p.m., for the purpose of conducting public hearings; and that the committee also sit for public hearings during the committee's regularly scheduled time on Wednesday, March 19, 2014; following public hearings, the committee shall meet on March 25 and 26, 2014."

The Chair (Mr. Garfield Dunlop): Debate?

Mr. Todd Smith: Yes. Again, what we're after are public hearings. All of this could have been avoided today—these motions—if the government and the third party had agreed to having a day of public hearings.

As we broke for break, there were a couple of people who mentioned to me that we're delaying this bill. The fact of the matter is, as I explained during my previous comments, the public has been ignored in this process. Today, we could be sitting here with parent groups, parent councils and other interested stakeholders if the government had simply agreed that we should have public hearings that didn't just include the list of presenters that they wanted to hear from. All of this could be avoided. I want our stakeholders who are here in the committee room to understand that, that all we wanted, as the PC caucus, was to hear from concerned parent groups, parent councils or any other concerned stakeholders for an extra day.

The government, in its wisdom, for whatever reason, decided that they didn't want that to happen. So what we're forced to do to have the ability to hear from those parent groups is to bring forward motions to the original presentation by Mr. Balkissoon.

We could be done the public hearings by now, or be very close to being done by now, if the government had simply agreed to open up this process to the concerned group. So I want everybody here to understand that we could be moving ahead with this bill if not for the actions of the government and the third party.

I'm not exactly sure what their resistance is to allowing the public to speak. Again, that is why we were elected in our constituencies: to ensure that the voices of our constituents were heard, that the voices of our ridings were heard. It's the people who voted us to come here to Queen's Park to represent Prince Edward–Hastings, Cambridge, Glengarry–Prescott–Russell, Brampton West or Scarborough–Rouge River. We have an obligation to do that. Not presenting the information to the residents in our constituencies and affording them the opportunity, in this forum, to come here and present their opinions and give us their side of the story to share their concerns with the piece of legislation with us is fundamentally against the whole reason why we were sent here.

There are so many concerns out there in our education system. My colleague from Cambridge outlined many; I previously have mentioned a number.

The actual public hearing process that we had, that one day that we met last week, honestly, was a joke. We didn't even have the opportunity to question the witnesses or the delegates that we had here in any real type of format where we could ask them questions. We were given three minutes—that's it—to question those who were here.

Again, it's great that we had the 12 presentations, and honestly, we ripped through them as fast as we possibly could, as if they didn't want us to ask them questions, that they just wanted to get in here and get out and get this on the move. Right? No matter what the cost. No matter what the flaws that exist in this piece of legislation, we have to ram it through, get it done and move on because we're the ones who have that cozy relationship with the government or the third party. We had three minutes. You could barely even introduce yourself by the time we were asked to wrap up.

There were a lot of questions that I know our education critic would have loved the opportunity to ask if it had been a real public hearing, if we had a legitimate amount of time to ask questions. But he wasn't afforded the opportunity to do that because the whole public hearing process has been rammed down our throats, to be perfectly honest.

We haven't had the opportunity to ask the questions and ensure that what we're doing is in the best interests of the students of Ontario, and improving our education system, and to making sure that the checks and balances exist in this legislation that should be there.

I know that stakeholders who are here watching this are frustrated, because this piece of legislation isn't moving through at the speed of lightning, but I can tell you that we could be moving along a bit more swiftly if the government just allowed the opportunity for public hearings—and real public hearings—to occur.

There are many concerns out there that I hear about in my constituency office in Prince Edward–Hastings, in Belleville. I've outlined a number of them in my opening remarks here this afternoon, whether it's scholarships with extracurricular activities, on the playing field, and extra help and tutoring for students in the classroom after

hours that wasn't allowed; the fact that there was little or no notice given to parents as a result of previous job action, school trips being cancelled. Those are some of the items that I hear about often.

But what really is lacking in this entire process is the ability for real people to come in here and—not that the teachers' federations and the school boards aren't real people, but they represent one side of this story.

The Chair (Mr. Garfield Dunlop): Back on topic.

Mr. Todd Smith: I'm talking about parents. I'm talking about parents who have genuine concerns.

Where are the principals in all of this? Have we actually heard from the principals? Principals are the leaders in our schools. They're the ones who have to live with the legislation that we pass here in this Legislature. Have they been consulted? Have we heard from them in a public hearing? No, we haven't.

These are, honestly, the people who work the longest hours in our schools. They're there during the summer breaks, they're there well into the evenings, and I know this because I spend a lot of time in the schools. I have two daughters in public school and I have a wife who's a high school teacher.

These principals carry so much responsibility for the daily activities in the school. They're the ones, ultimately, who are held responsible for what goes on in these learning institutions, and we've excluded them from this process. It doesn't make sense. I know that is one of the groups that has been shut out, and I believe, would love to have the opportunity to come and speak to us as a committee and talk to us about what Bill 122 is actually going to mean for the day-to-day activities in their school.

1330

I know that the principals are concerned about supervision, whether it's on the playground, perhaps on bus duty or in the lunch room, in the cafeterias of the schools. They have genuine concerns about what's happening in their schools. They're responsible; they're ultimately responsible. So how can we leave that incredibly important stakeholder out of these discussions?

As I mentioned earlier, the presentations that we've had before the committee were fine presentations. As you would expect, you would have the teachers' federations here and the associations, and the school board trustees and the school boards represented, but the principals should be here. We haven't talked enough about the role that the principals play in our schools and how this legislation could potentially impact them at the end of the day.

I know that the principals' councils would be more than pleased to appear before the committee, if we're successful in getting this motion and amendment to the motion passed so that we exclude the meetings during the March break, as my colleague mentioned. Teachers, principals and parents of school children are pretty limited as to when they can actually take a holiday. They can take a holiday during the Christmas break, they can take a holiday during the March break, but for the most part, the rest of the time, they have to have their children

in school—although I can tell you that in Prince Edward–Hastings this year, we've had so many days cancelled because of winter storms, it's been like an old New Brunswick winter. In Prince Edward–Hastings this year, I believe we've had two full weeks of school days cancelled because of the snow we've received. Imagine what losing those two weeks means to the education of our children—but that's another story. The point that I was trying to make is that parents, teachers and principals are somewhat limited in the time when they can take a holiday.

We want to ensure that we hear from those key stakeholders in our education system in the public hearings. That's why we've proposed that we sit on Tuesday, March 18 for public hearings in the afternoon, and also the very next day, on March 19, during our regular meeting time as well, to hear from those people.

The other issue that we haven't touched on—I know Mr. Leone touched on student success, but one of the other issues that we really need to focus on—I've heard from probably not as many people on this as my colleague has, being the education critic, but 274 is a big deal. We want to ensure that we have the best teachers in the classroom, not just the longest-serving teachers in the classroom. I know principals have a concern with this issue as well. We're protecting, in some cases, teachers who aren't effective.

We need to have the best and the brightest teachers in our classroom, especially when you consider what my colleague outlined: declining scores in math. We need to ensure that we have the very best teachers in the classroom. Age doesn't matter; there has to be a way that we have the flexibility to ensure that we have good teachers—the best teachers—in the classroom. We can all look back to our school days and remember which teachers were actually effective and some who were just there to pick up a paycheque. Fortunately, there weren't that many in that category. Most of the teachers I know are there for the right reason and they're committed to teaching our children, but we want to ensure that we have the best teachers in the classroom and I—

The Chair (Mr. Garfield Dunlop): You have five minutes left.

Mr. Todd Smith: Five minutes left?

The Chair (Mr. Garfield Dunlop): You have five minutes left, yes.

Mr. Todd Smith: Thank you.

I think of Jason Trinh, who was the Premier's teaching award recipient—I forget exactly what the title of the award was. Here's a young man who lost a position, essentially because of declining enrolment, I believe.

There should be the opportunity for principals to ensure that our best teachers are actually in the classroom. I'm friends with many, many teachers who are excellent young teachers, who have a real drive to be in the classroom and a real innovative approach to teaching and an enthusiasm for teaching, who are having such a difficult time getting a full-time position. In many cases, they're head and shoulders above other teachers who are in the school, as far as their enthusiasm and their ability

to teach, but simply because of the structure that exists within the contracts these days, they are unable to get a full-time spot in the classroom. It's extremely disheartening for these young teachers. Again, much of this is because of declining enrolment.

The other issue—and we haven't heard from young teachers, who aren't part of a union or an association yet, who are having such an incredibly difficult time getting on the supply list to even get experience, because those spots on the supply list are being filled by retired teachers. I can think of a couple of young ladies who have graduated from teachers' college. They're full-fledged teachers, very enthusiastic young women. They're from Bancroft, in my riding, which is a small community. There's a high school there and a couple of public schools. They want to get on that supply list for the Hastings and Prince Edward District School Board. They want to get the opportunity to start to pay off their OSAP, their student loans. They want the opportunity to start to get the actual classroom experience that they're going to need to get that full-time job—

The Chair (Mr. Garfield Dunlop): Try to concentrate more on the dates on the motion etc. Try to get to that.

Mr. Todd Smith: Sure, I'll get to it. But these are the kinds of people that I believe should be here. Again, they'll be here during those public hearings on March 18 and March 19, if we're successful in having this motion passed.

What's happening right now for these teachers is that they're being left off that supply list. It's not just retired teachers from Hastings and Prince Edward who are coming in. They're actually bringing in retired teachers from Peterborough to teach in these classrooms. So it's very frustrating for these young teachers, who I'm sure would love the opportunity to come in and speak to some of these issues that exist within the current education structure in the province of Ontario.

That's why I believe that we need to have another day. This motion is calling for potentially another two days of public hearings. Of course, if we don't get the deputations, if we don't have a speakers list to fill those two days, we'll deal with that at that time. But I believe and I am very confident that, between the people who have spoken to my colleague Mr. Leone and those who have reached out to me, we can fill another two days of public hearings and actually hear from the people who are affected by this.

A couple of key stakeholders that I mentioned who should be approached are the young teachers. We need to ensure that their voice is being heard on how Bill 122 affects them. We also should be hearing from the principals, who are so important to the functioning of our education system in the province of Ontario. So far, their voice has been moot. That's a shame, because they are such important people in the education system in Ontario.

I would encourage the other two parties to pass this motion so that we can include key stakeholders like the principals' councils and the young teachers in Ontario.

Thank you, Chair.

The Chair (Mr. Garfield Dunlop): Further debate? Ms. Forster, you have debate?

Ms. Cindy Forster: Yes. I'd like to actually call for the question. Is it possible to do that? I mean, clearly this is just filibustering. It's a way to delay this process. We have all these people sitting here wasting their whole afternoon listening to this. If there's a way to call the question, I think we should be doing that.

1340

Mr. Rob Leone: I still have further debate.

The Chair (Mr. Garfield Dunlop): Pardon me. Excuse me a sec.

Interjections.

The Chair (Mr. Garfield Dunlop): Excuse me just a second, here. We want to make sure we get this right.

Ms. Forster, again.

Ms. Cindy Forster: So that this question be now put.

The Chair (Mr. Garfield Dunlop): With that, Ms. Forster, I know what you're saying, but I believe that, in as far as the actual motion—so we have that opportunity to debate. We've done it a number of times in other committees. So I'm not going to call the question right now. I ask for further debate if anyone has further debate on it.

Mr. Rob Leone: I do.

The Chair (Mr. Garfield Dunlop): Okay, Mr. Leone.

Mr. Rob Leone: Well, Mr. Chair, I'm not sure what to think of the proceedings today. I would encourage members of the committee who are from the Liberal and NDP caucuses to speak up on this particular issue of why they don't want to further deliberate on this particular piece of legislation. Why don't they want to open up discussions and consultations with other groups?

I just find it amazing that on a bill that is supposed to be about negotiation, compromise, a to and fro, a healthy exchange—that on the very request of opening up this process to more groups, there's silence. There are hard-and-fast positions. There's no compromise. There's no debate. I find it passing strange, Chair, that on the very bill about negotiation, no stakeholder, no member of the committee outside the PC caucus members—

Mr. Vic Dhillon: Chair?

The Chair (Mr. Garfield Dunlop): Excuse me a second. A point of order.

Mr. Vic Dhillon: Can Mr. Leone get back to what we're discussing?

Mr. Rob Leone: I am.

Mr. Vic Dhillon: The amendment.

The Chair (Mr. Garfield Dunlop): Try to stick a little more to the motion itself.

Mr. Rob Leone: I am happy to do that, Chair.

As I was saying, I just find it very interesting that no one else is speaking on this particular motion, nor the amendment, and I think that that is of interest. I think the public would be interested in knowing that the only people standing up for parents are the PC caucus, and I think that is certainly an agenda that is speaking loud and clear today by the members of this committee's unwillingness to further open the debate.

I would encourage the stakeholders who are spending the time here today to be with us to talk to the members of this committee—you can talk to us; you can talk to all the other caucuses as well—and just say, “For the sake of getting this bill and moving this process forward, just give us some public hearings.” I know that many of the stakeholders present today are experts at pressure tactics who can do exactly that. I would encourage those stakeholders who are concerned that this isn’t moving forward to lay the blame exclusively on members of this committee who aren’t willing to debate why they don’t want further public hearings on this particular motion, this bill and this amendment.

I have to say, looking at the motion itself, Chair, that I preferred the motion that we were debating before. I think that motion was very clear in its intent, which is to provide enough time to give members of society who might be interested in this particular piece of legislation the opportunity to come forward. That’s why we suggested, I believe, as our previous amendment, the dates of March 19 and March 26 for public hearings.

We appreciate that members of this committee want to move forward on this, which is why we proposed two additional hearing dates the week following March break, on Tuesday, March 18, from 3 p.m. to 6 p.m., and that the committee sit for its regular scheduled meeting on March 19, from noon to 3 o’clock, in order to shorten the time frame, with the hope that it would then make it more amenable to members of this committee to pass and to actually engage in public hearings.

I would suggest that members of this committee should see this as a sign of good faith, that we move this particular amendment to at least get public hearings completed by March 19, which I believe would serve the purpose of moving this bill further than waiting until March 26. We’ve moved from our previous position to shorten that time frame. We’d still have two public hearings, but we would also include the Tuesday for one of those days, so that we would be done on the 19th of March. We’re trying to come halfway here with members of this committee to understand that.

My question, perhaps to the Clerk, on this particular issue is that “the committee shall meet on March 25 and 26.” I wonder if it would be possible to offer a sub-amendment to at least put times on those dates so we know the time frame by which we would do that. Am I able to move a subamendment?

The Clerk of the Committee (Mr. Trevor Day): Yes. We’ve got a motion on the floor that’s an amendment to the motion. We can have one subamendment that you can offer.

Mr. Rob Leone: All right, Chair. I would then move a subamendment—

The Chair (Mr. Garfield Dunlop): The 19th is already set.

Mr. Rob Leone: The 19th is set, but the 25th and 26th are what I’m looking at.

The Chair (Mr. Garfield Dunlop): With the 26th, I believe, we have our set times.

Mr. Rob Leone: So I would add, after “March 25,” “from 3 to 6 p.m., and that the committee meet for its regularly scheduled meeting on March 26, 2014.”

The Chair (Mr. Garfield Dunlop): Does everyone understand what he’s saying with the motion?

Mr. Bas Balkissoon: We’re okay with it.

The Chair (Mr. Garfield Dunlop): You’re okay with that clarification.

Are you okay with that?

Ms. Cindy Forster: No, I didn’t quite get it.

The Chair (Mr. Garfield Dunlop): Would you like a fresh copy with this new amendment in it?

Ms. Cindy Forster: Or he could just say it again. I’m happy to—

The Chair (Mr. Garfield Dunlop): Just say it again. If you could just repeat it.

Mr. Rob Leone: I hope I don’t make an error in the repetition here.

The subamendment would insert after “March 25” the words “from 3 to 6 p.m., and that the committee would meet on its regularly scheduled meeting on March 26, 2014.”

Maybe for my clarity, I’d like it in writing. Is that possible? I haven’t written it.

The Chair (Mr. Garfield Dunlop): You can if you want. Do you want it clarified?

Mr. Rob Leone: I would prefer to make sure that I write in that subamendment.

The Chair (Mr. Garfield Dunlop): A five-minute recess while you get that redone.

The committee recessed from 1349 to 1356.

The Chair (Mr. Garfield Dunlop): I call the meeting back to order. I’m going to ask Mr. Leone to read it one more time, and then we’ll have debate on the amendment.

Mr. Rob Leone: I move that the amendment be amended by inserting, after “March 25,” the words “from 3 to 6 p.m., and at the committee’s regularly scheduled meeting time on” and then include the words “March 26, 2014.”

The Chair (Mr. Garfield Dunlop): Would you like to explain that any more, exactly what you’re trying to do? And then we’ll debate on the amendment.

Mr. Rob Leone: I have debate on the subamendment, if I can.

The Chair (Mr. Garfield Dunlop): Pardon me?

Mr. Rob Leone: Do I have debate on the sub-amendment?

The Chair (Mr. Garfield Dunlop): You can make comments on your amendment.

Mr. Rob Leone: Yes, okay. That’s what I’d like to do.

Anyway, Chair, I moved the amendment to an amendment to insert some time for the purpose of providing some clarity on exactly what the time frame should be for, I believe, clause-by-clause that would take place on March 25 and March 26, 2014. The reason, Chair, that we have to provide that clarity is that I know that if we pass the amendment without the subamendment, what we

would be doing is opening up clause-by-clause for an undefined period of time. I believe that, in order to fit what I am sure is a busy time of year for other members of this committee, to get that schedule cleared for those public hearings, it's important to define the timeline provided.

For the time on Tuesday, March 18—the time starting at 3 p.m.—the reason for having that subamendment to the amendment at 3 p.m. on the 25th of March is because, of course, the 25th lies on a Tuesday. As it falls on a Tuesday—we allot on our parliamentary calendar time for caucuses to meet from noon to 3 p.m. every Tuesday. Having said that, it's important to understand—I actually quite enjoy our caucus meetings; it's the best time of the week for us—that, considering what our legislative calendar is and what it consists of, there is some time to narrowly define that part as well.

We've suggested 6 p.m. because 6 p.m., of course, is the time that the Legislature rises at the end of the day. I know that all members have various commitments during their calendar while the Legislature sits, and many members allot some time for attending events, returning phone calls, writing emails and preparing for the next Legislative day after 6 p.m., and therefore it's quite important that we consider that as well. That's why, Chair, we haven't talked about extending that time to, say, 7 p.m., 8 p.m. or 9 p.m. and beyond: simply because a lot of members I know utilize that time for matters they seek to tend to.

I know, as well, that a lot of the members, particularly on this committee, who may be from Toronto, do return back home to their own homes in their ridings close to Queen's Park, at which point we have to allot them time to commute back and forth.

The challenge of going at a time outside of from 3 to 6—of course I've mentioned that caucus meets between 12 and 3, but we should note that in the morning we have a pretty full parliamentary calendar as well, where we sit in the Legislature from 9 a.m., and question period begins at 10:30. So there's not a whole lot of time to get into the nitty-gritty of clause-by-clause review of the legislation in the morning. I think it's important to understand, when we're debating this particular subamendment, that we take into consideration the times that are allocated according to the parliamentary calendar.

I know the member from Prince Edward–Hastings is a very busy member, as am I. I know that we're both in here bright and early in the morning, and we are here quite late in the evening. We realize that members of the other caucuses may be as busy as we are, but certainly not more, of course. I don't think that that's quite possible. But that's important to understand.

The reality, too, Chair, is that this is a Tuesday. We're meeting here again on Wednesday. I think that there are some challenges, of course, with compacting all of this in succession. But, again, I realize that folks want to move on and proceed with this particular piece of legislation by 3 p.m. on March 26. Hopefully, we can review some 70-plus amendments to this legislation that have been in

discussion for, well, I guess, months. That's what the minister has suggested, and I can't understand why we have 70 amendments, given that amount of time. Hopefully, Chair, when we get to clause-by-clause, there is adequate time associated with that.

In return for understanding the precious nature of and the sensitivity that all the other parties have with this particular piece of legislation, it's important to also acknowledge that we are trying to achieve our own goals. I think it's important for members of this committee to understand that we are in the process of identifying a couple of concerns with the piece of legislation, one of which we've written to the ministry about. But the other, which we're debating right now, is how much time we should allot for public hearings, which the amendment clearly outlines, and how much time we should allot for the clause-by-clause, which the amendment did not define. So that's why we've proposed this subamendment to talk about—and perhaps understanding so the stakeholders can come in, and they know what our parliamentary calendar is like, to be able to be present if that's their decision, if that's what they'd like to see. I think we owe it to the committee to consider the subamendment and move forward on that basis.

On the subamendment, Chair, I think I've explained why I wanted to define the times for clause-by-clause. Again, I realize that we have more than 70 amendments that this committee is going to consider. I hope that the committee understands that we need to identify and narrow down those times so that we're clear, not only to members of this committee but also to interested parties who want to come and talk about the clause-by-clause process, to narrow down exactly when we're going to sit in this committee and to deliberate on matters which we all consider very important.

With that, Chair, I entertain further debate on narrowing the time to between 3 p.m. and 6 p.m. on Tuesday, March 6, and from noon to 3 on Wednesday, March 26.

The Chair (Mr. Garfield Dunlop): Thank you, and I'll get to more debate in a second. I just want to make sure we get a clarification on the clause-by-clause: Are you saying, in this motion, that you're trying to end clause-by-clause on the 26th?

Mr. Rob Leone: No.

The Chair (Mr. Garfield Dunlop): Because with 70 amendments, we could go beyond the 26th, you're aware of that? Because we haven't got direction from the House. Am I correct on that?

Interjection: That's correct.

Mr. Rob Leone: I realize that.

The Chair (Mr. Garfield Dunlop): All right.

Mr. Rob Leone: So we're both clear.

The Chair (Mr. Garfield Dunlop): So everybody understands that. Okay.

Further debate on this amendment? Mr. Smith.

Mr. Todd Smith: Thanks, and that was actually a point that I was going to make, Chair: that there is no definitive end date here; this is open-ended so that, when we proceed through the clause-by-clause portion of this,

we have the ability to make sure that we include all of the amendments that we need to get to in the clause-by-clause portion of this.

This is a very sensible subamendment that has been made by my colleague Mr. Leone, just to clarify, because there are many individuals, of course, who don't follow the legislative calendar the way that we do. Some days we even get tripped up on that. I think it's very important that we do include the hours that the committee will be meeting. The other thing to keep in mind is that Tuesday is not typically a day that's allotted for this committee, the leg assembly committee, to meet here at Queen's Park. The normal meeting time is, of course, Wednesdays from noon till 3.

I believe now that that has been clarified—and also for the purpose of advertising so that stakeholders are aware when we'll be meeting, that it is clear that it will be from 3 till 6 in the afternoon, that we are open for business here in this committee anyway and discussing the relevant amendments that we'll be faced with on Bill 122, noting as well—and it's important to note—that caucus does meet on Tuesdays. Both the government caucus and the opposition parties have their caucus meetings from noon till 3, so it's important, I believe, that we do not miss the opportunity to participate in our caucus meetings, which are so important.

I also just want to point out, again, that it's very important we meet in the week of March 18 for the purpose of public hearings and that it is clear that on the Tuesday, the hours are from 3 till 6 for public hearings, and then the committee is also going to sit for the public hearings during the regular time the next day as well, which is from noon till 3. It's not stated in the subamendment that we will be meeting from noon till 3; however, I believe it is evident that that is the regular meeting time for this committee, so there shouldn't be any confusion when it comes to the meeting time on Wednesday, March 19.

This is a very sensible subamendment that has been put forward in just ensuring that those who will be participating in this process will be very clear on the times that we will be meeting. As the original motion that I moved states, there were no times allocated for when we would be meeting on March 25. So it's a good subamendment to make to that motion, just to include the times on there so that everybody is aware of when the committee will be meeting to—and again, those dates are just the first two days that clause-by-clause will be taking place. The two previous days, as it stands right now, the 18th and the 19th, are committed to public hearings.

We're really focused on ensuring, again, that we have the public input that we should have on this committee and that we aren't being railroaded in this process—not just us but I mean the stakeholders who would like the opportunity to speak to us. I believe it makes sense to have both of those days available for public hearings. Again, if those slots aren't filled up by participants in the process, then we could potentially move earlier to clause-by-clause, but as I've stated several times here today, I know there is interest in appearing before this committee

in the public hearing phase. If we can do so, from Tuesday, March 18, from 3 till 6, for public hearings; and then also state that our regular meeting time, Wednesday, from noon until 3, is available for public hearings; and that March 25, we move from 3 p.m. to 6 p.m.; and the 26th would be the regular meeting time, from noon till 3, for discussing the clause-by-clause portion of this. Again, for advertising purposes it would make sense that we put all of the times into this motion and ensure that everybody is perfectly clear on where we stand on this issue.

This is an important motion. Again, I would encourage the members of the government—the members on the government side and the members of the third party—to simply open the doors and allow public consultation and public hearings. All we're after in the PC caucus is the opportunity to hear from principals, parents and parent councils and give them the opportunity to speak to us at the committee in the times that have been allocated in this subamendment, and ensure that the public voice is heard so that we can ensure that we're getting this bill right. Bill 122 is a very important piece of legislation. We just want to make sure that we get it right and that we consult everybody who needs to be consulted on this piece of legislation that has been put forward by the government. Thanks, Chair.

The Chair (Mr. Garfield Dunlop): Okay. Further debate on this amendment to the amendment?

Mr. Peter Tabuns: No.

The Chair (Mr. Garfield Dunlop): Okay. I'm going to call the vote on the amendment.

Mr. Rob Leone: Can we call a 20-minute recess, Chair?

The Chair (Mr. Garfield Dunlop): Pardon?

Mr. Rob Leone: A 20-minute recess before the vote?

The Chair (Mr. Garfield Dunlop): Okay. A request for a 20-minute recess from the official opposition. Be back at 2:32.

The committee recessed from 1412 to 1432.

The Chair (Mr. Garfield Dunlop): I call the meeting back to order. The first order of business is voting on the amendment to the amendment. That's the amendment made by Mr. Leone.

Mr. Rob Leone: A recorded vote, Chair.

The Chair (Mr. Garfield Dunlop): Pardon me?

Mr. Rob Leone: A recorded vote.

The Chair (Mr. Garfield Dunlop): A recorded vote.

Ayes

Leone, Smith.

Nays

Balkissoon, Crack, Dhillon, Flynn, Forster, Tabuns.

The Chair (Mr. Garfield Dunlop): The amendment to the amendment is defeated.

We will now vote on the—

Interjection.

The Chair (Mr. Garfield Dunlop): Further debate on the amendment?

Mr. Rob Leone: Chair?

The Chair (Mr. Garfield Dunlop): Mr. Leone?

Mr. Rob Leone: Well, thank you, Chair. I'm kind of disappointed that the amendment to the amendment didn't move through so that we could provide greater clarity to everybody, both the committee members and the stakeholders who are with us today, about when we would potentially be meeting on March 25 and 26, so that they could organize themselves and their calendar.

Having said that, I still think that the amendment that was proposed by my colleague the member for Prince Edward–Hastings, Mr. Smith, is appropriate in the sense that we are looking for further public hearings.

I want to be very clear: There is a process outlined in this Legislature where we have public hearings. As my colleague had suggested, we have five minutes of presentation and three minutes per party to ask questions. I know there were a good number of delegations who came forward and who sat right in that chair to my left, made their deputations and ran out of time. There were more things in their presentation that they wanted to get to that they simply weren't able to do. I would suggest that that does show the evidence that we simply did not allocate enough time for public hearings.

I know that we've been talking all afternoon on further public hearings on Bill 122. We're suggesting that parents want to come, and other stakeholder groups. But there is a potential that there are some items that other delegations have made that they didn't get to and that they wanted to speak about. I think that is important to acknowledge as well, that there might be an opportunity for some of those folks to elaborate on some of the thoughts and ideas, and for us to have the opportunity to further question some of the items that we're going to be debating.

The package of amendments that are brought forward, as has been mentioned time and again today, number well over 70, and that is a huge amount. But I think it would have been more fruitful to have a more thorough rationale for why some of these amendments were being requested, by the groups coming forward.

I do want to emphasize that we sent a letter to the minister with a request that was made by one of the presentations with respect to extracurricular activities. That was a point and perspective that was brought to this committee that we weren't able to thoroughly analyze or ask questions about. I think the presentation that was given offered us something different and dynamic about where we could go with this potential bill. In the course of that presentation, we were reminded that we could open the door to talk about, particularly, extracurricular activities. That is a point that we think is important for parents. They want to ensure that their basketball, volleyball and football seasons aren't going to be cancelled, that choirs aren't going to be muted, that extra after-school help is still going to be provided, that a range of activities is part of a wholesome, enriching educational

experience for students. That, I think, is the point of what my letter to the minister suggested: If we come to an agreement on one amendment, we have the potential to look at and expedite the process which we're going to go through.

Unfortunately, the minister has retorted in a negative way, and that's certainly her objective and her prerogative, but it isn't in the spirit of trying to move this process forward. I believe that if the minister responded at least somewhat positively, there could have been a dialogue established between ourselves where we would see a process put in place where this particular piece of legislation would move through clause-by-clause, at least even start clause-by-clause, today, and move forward on that particular basis. The reality is that her tone in her letter is not one where we can expect to have any further discussion on our perspective, which is that we would like to protect extracurricular activities for families in the province of Ontario.

I'm kind of mystified by that. I know that we in the Ontario PC caucus want to stand up for families and students who have placed a high value on their extracurricular activities, and we are dismayed that we don't have a willing partner to help us support that. I haven't reached out and written to my colleague from Toronto–Danforth, who is the education critic for the New Democratic Party, because I wanted to hear the minister's response first, but I'd be curious to know what the member for Toronto–Danforth has to say about that particular thing. I'm going to, hopefully, endeavour to have a conversation with him at a later time.

That said, I'm hopeful that the wishes of our parents are heard and we talk about how we can protect extracurricular activities, because that's what I think a lot of parents are telling us to do. At the end of the day, we're left with a process where those parents can't even come forward to raise those concerns. It would be nice to measure and to have some sense of how widespread that sentiment is. I know that once we made the letter public, I experienced in my mailbox—in my inbox on my email and in my Twitter feed—there was certainly a lot of interest in the topic. I'm not going to say that that interest was 100% positive because I realize a lot of teachers had some questions or concerns about it, but we wanted to make sure that we put the idea forward, as presented by a delegation to these public hearings, and we're soliciting feedback on the basis of that.

All we're asking is to have a process which all of us can attest to, in order for us to have some confidence that we are doing what our members, our supporters and parents are saying, which is to protect extracurricular activities—at least we're putting that in place in legislation; it could be some take-away for the Ontario PC caucus. At the end of the day, our interest is to protect parents, and we are very much disappointed that there hasn't been any degree of movement from any of the other parties in that regard. I can certainly understand why.

1440

Mr. Chair, I received a note from a trustee in one of our school boards who writes to me and says that he

caught word that the government has given school board associations hundreds of thousands of dollars for central bargaining ahead of the passage of Bill 122.

Now, I obviously have a lot of questions pertaining to the process where the government has given some money outside the scrutiny of this Legislature to enhance the negotiation process with respect to what might happen if this bill does, in fact, pass. I have some questions about that, because what if the bill doesn't pass? There are some questions and certainly some concerns that are raised.

The Chair (Mr. Garfield Dunlop): Try to speak more to the amendment.

Mr. Rob Leone: The amendment is about public hearings, and what I wanted to suggest, Chair, is that in the process of having public hearings, those are the kinds of questions I think are valuable to ask deputants. If individual trustees are coming forward with information for our benefit, that might have an effect on what's happening with this process. I think we have an obligation to thoroughly debate this.

I had a meeting yesterday with another education stakeholder, People for Education, which is a well-known stakeholder in this process. I had asked if they had even known that Bill 122 was in committee and received public hearings. The reality is that an organization that's so vested in the education system did not, in fact, know that public hearings had actually already taken place.

It speaks to me of the failure of the government to properly solicit feedback from a wide spectrum of people. I'll leave it up to People for Education to talk about whether they would have in fact come, but the reality is, my point is, that they didn't actually know about the public hearings at all. I have some concern about that, because they are stakeholders who obviously examine what we are doing with a fine-toothed comb.

In addition, my colleague talked about the principals. I've spoken with principals on an ongoing basis. I know the member from Toronto–Danforth and I were at a public forum with the Ontario Principals' Council, which I thought was a fruitful exchange of ideas. I know that they have concerns that they want to bring forward, and this might have been—and, again, there's a potential for their input on whether this process might have been an avenue for them to bring some of their issues to the attention of members of the Ontario Legislature and to the government.

So, Chair, I would say that through the course of public hearings, which is what we're talking about, and putting two days of public hearings on the table for Tuesday, March 18 and for Wednesday, March 26, we simply have not done a thorough job of soliciting information from relevant stakeholders, stakeholders who have a desire to speak out on matters of education.

Mr. Smith, the member for Prince Edward–Hastings, and myself have spent a great deal of time explaining today to members of this committee that we have, in fact, tried to shed some light on members of this committee, on some of the issues pertaining to legislation. Some of the things that people have been saying to us, information

that might be brought forward by other groups of individuals who want to talk about certain issues with respect to education and the process—especially because the collective bargaining process has been so crucial and has been held up as the place where public policy in education is being thoroughly negotiated.

We would like to see, of course, that education policy remain in the domain of the Legislature to the greatest extent possible. We have certainly outlined and announced that extracurricular activities are one of those areas where we think we can actually provide a degree of assurance to the public that their MPPs—each one of us around this table—are in fact listening to them and are prepared to step up to the plate to create legislation that is meaningful and purposeful to provide an education system that they want for their children.

That, again, Chair, is the reason why we have spent a great deal of time today talking to the committee and, I would even say, begging the committee to even consider that we should have opened this process up to public hearings. What we're debating here, for members that are here watching and witnessing this debate today, is the fact that the government had decided that it wanted to move this motion to basically fast-track, on a week that the Legislature is not sitting, clause-by-clause review of this legislation. We wouldn't have been here today talking about public hearings had this motion not come to the floor. In fact, if this motion didn't come to the floor, clause-by-clause hearings would have started today.

So you ought to know that the reason why we are here and not talking about the amendments that you've brought forward is simply because the government decided to table a motion that tried to fast-track this debate. I wouldn't have been able to ask for further public hearings in the absence of this particular motion. So I think that they have some explaining to do to all of you. They've certainly taken a lot of your time by trying to fast-track this process that was questionable at best to whether they would have been able to achieve their objectives.

What we're suggesting here is that public hearings, at the end of the day, have been something that we've set up from day one in this process. It's a process that has not—our ask has not been heard, either on the public hearing side or on the extracurricular activities side and protecting those items, because of the lack of negotiations and because of the hard-and-fast positions that have been taken by the government. I'm assuming—although I don't want to speak for the third party—we are at the stage today where we're debating whether public hearings should be part of the process.

So I'd encourage you to talk to your members, to the members of the government and to members of this committee, asking them why we didn't start clause-by-clause analysis of the bill today, which is what we could have done in the absence of this motion. I think they should be explaining that to you in detail.

With that, Chair, I believe I'm going to end my remarks on the need for further public hearings on Bill

122. I'd ask the committee to consider at least providing those public hearings for members of the public that wish to speak on this particular piece of legislation. Thank you.

The Chair (Mr. Garfield Dunlop): Further debate? I'm going to call the vote on the amendment.

Mr. Rob Leone: Let's have a 20-minute recess.

The Chair (Mr. Garfield Dunlop): Pardon me?

Mr. Rob Leone: A 20-minute recess.

The Chair (Mr. Garfield Dunlop): Okay. With a 20-minute recess, at this point, that would mean that the clock would run out on our 12-to-3 meeting today. That would then make the motion by Mr. Balkissoon non-existent, invalid. We will start the clause-by-clause at 12 o'clock on March 19.

The committee adjourned at 1449.

CONTENTS

Wednesday 5 March 2014

Committee business..... M-303

STANDING COMMITTEE ON THE LEGISLATIVE ASSEMBLY

Chair / Président

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

Vice-Chair / Vice-Présidente

Ms. Lisa MacLeod (Nepean–Carleton PC)

Mr. Bas Balkissoon (Scarborough–Rouge River L)

Mr. Grant Crack (Glengarry–Prescott–Russell L)

Mr. Vic Dhillon (Brampton West / Brampton-Ouest L)

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

Ms. Cindy Forster (Welland ND)

Ms. Lisa MacLeod (Nepean–Carleton PC)

Mrs. Amrit Mangat (Mississauga–Brampton South / Mississauga–Brampton-Sud L)

Mr. Michael Mantha (Algoma–Manitoulin ND)

Mr. Todd Smith (Prince Edward–Hastings PC)

Substitutions / Membres remplaçants

Mrs. Donna H. Cansfield (Etobicoke Centre / Etobicoke-Centre L)

Mr. Kevin Daniel Flynn (Oakville L)

Mr. Rob Leone (Cambridge PC)

Mr. Peter Tabuns (Toronto–Danforth ND)

Clerk / Greffier

Mr. Trevor Day

Staff / Personnel

Ms. Laura Hopkins, legislative counsel