



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 2 April 2014

**Journal
des débats
(Hansard)**

Mercredi 2 avril 2014

**Standing Committee on
the Legislative Assembly**

School Boards Collective
Bargaining Act, 2014

**Comité permanent de
l'Assemblée législative**

Loi de 2014 sur la négociation
collective dans les conseils
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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
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111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
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Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
THE LEGISLATIVE ASSEMBLYCOMITÉ PERMANENT DE
L'ASSEMBLÉE LÉGISLATIVE

Wednesday 2 April 2014

Mercredi 2 avril 2014

*The committee met at 1215 in committee room 1.*SCHOOL BOARDS COLLECTIVE
BARGAINING ACT, 2014
LOI DE 2014 SUR LA NÉGOCIATION
COLLECTIVE DANS LES CONSEILS
SCOLAIRES

Consideration 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 Chair (Mr. Garfield Dunlop): Okay, we'll call the meeting to order. We have already explained, previous to this, exactly what's happening here. I'm going to go right over to—

Interjection.

The Chair (Mr. Garfield Dunlop): It's actually amendment 4. It's page 4.

Subsection 4(3) of the bill: Shall it carry?

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Withdrawn.

Page 5—

Interjection.

The Chair (Mr. Garfield Dunlop): Okay, that's all for section 4.

Shall section 4, as amended, carry? Carried.

Page 5.

Mr. Peter Tabuns: Withdraw.

The Clerk of the Committee (Mr. Trevor Day): Five is withdrawn.

The Chair (Mr. Garfield Dunlop): Subsections 5 through 12: Shall they carry? Carried.

Section 13, on page 6—

Interjection.

The Chair (Mr. Garfield Dunlop): Subsection 13(2) of the bill: Will it carry?

Interjection.

The Clerk of the Committee (Mr. Trevor Day): It's government motion 6, subsection 13(2) of the bill.

Mr. Rob Leone: Chair, are we voting on each individual section, even though there's no amendment, or are they deemed carried?

The Clerk of the Committee (Mr. Trevor Day): The votes can be voted on each section. If a member wants them spread out—the Chair, in the last one, grouped 5

through 12 as one vote, because there are no amendments.

Mr. Rob Leone: I understand. I just wanted to make sure that we're clear. I seemed to understand that he said "subamendments," so I didn't know it was subsections.

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

Mr. Peter Tabuns: Just to the Chair: If you would refer to these as "amendment" or "motion," rather than "section," it's easier for us to sort it through.

The Chair (Mr. Garfield Dunlop): We'll talk about each one as a motion. Okay?

Mr. Peter Tabuns: That's fine.

The Clerk of the Committee (Mr. Trevor Day): Right, so it's motion 6.

The Chair (Mr. Garfield Dunlop): We've just done 6, right?

The Clerk of the Committee (Mr. Trevor Day): No, we're going to do it now.

The Chair (Mr. Garfield Dunlop): Okay. Motion 6, subsection 13(2) of the bill: Shall it carry? Carried. Motion 7.

Mr. Peter Tabuns: Withdrawn.

The Chair (Mr. Garfield Dunlop): Withdrawn.

Shall section 13, as amended, carry? Carried.

Shall sections 14 and 15 carry? Carried.

The Chair (Mr. Garfield Dunlop): Motion 8.

Mr. Peter Tabuns: Withdrawn.

The Chair (Mr. Garfield Dunlop): Thank you very much.

Shall section 16 and section 17 carry? Carried.

Motion 9—

Mr. Bas Balkissoon: Carried.

The Chair (Mr. Garfield Dunlop): Okay. Shall subsection 18(2) of the bill carry? Carried.

Shall section 18, as amended, carry? Carried.

Shall section 19 carry? Carried.

Our next motion is on section 20. That's motion 10.

Mr. Peter Tabuns: Withdrawn.

The Chair (Mr. Garfield Dunlop): Motion 11?

Mr. Peter Tabuns: Withdrawn.

The Chair (Mr. Garfield Dunlop): Thank you. Motion 12?

Mr. Peter Tabuns: Withdrawn.

The Chair (Mr. Garfield Dunlop): Government motion 13?

Mr. Bas Balkissoon: Carried—sorry, withdrawn.

The Chair (Mr. Garfield Dunlop): That's withdrawn?

Mr. Bas Balkissoon: Yes, we'll withdraw. My mistake.

The Chair (Mr. Garfield Dunlop): NDP motion 13.1?

Mr. Peter Tabuns: Move.

The Chair (Mr. Garfield Dunlop): It's moved.

Shall section 13.1, regarding section 20 of the bill, carry? Carried.

Mr. Peter Tabuns: Again, Chair: motion 13.1.

The Chair (Mr. Garfield Dunlop): I beg your pardon?

Mr. Peter Tabuns: You said, "Shall section 13.1 carry?"

The Chair (Mr. Garfield Dunlop): Sorry. I apologize. Trevor is pushing me pretty hard here.

Mr. Peter Tabuns: Trevor, go easy on the Chair.

The Chair (Mr. Garfield Dunlop): Okay, I'm sorry. It's just that I'm so excited that so much is getting done here in five minutes.

Shall section 20, as amended, carry? Carried.

Section 21: NDP motion 14.

1220

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): NDP motion 15.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): NDP motion 16.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Government motion 17.

Mr. Bas Balkissoon: Withdraw.

The Chair (Mr. Garfield Dunlop): Government motion 18.

Mr. Bas Balkissoon: Withdraw.

The Chair (Mr. Garfield Dunlop): Government motion 18.1.

Mr. Bas Balkissoon: I move it.

The Chair (Mr. Garfield Dunlop): Shall motion 18.1, on subsection 21 of the bill, carry? Carried.

Shall section 21, as amended, carry? Carried.

NDP motion 19.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Government motion 20.

Mr. Bas Balkissoon: Withdraw.

The Chair (Mr. Garfield Dunlop): Government motion 20 is withdrawn?

Mr. Bas Balkissoon: Yes.

The Chair (Mr. Garfield Dunlop): NDP motion 20.1.

Mr. Peter Tabuns: I move this motion.

The Chair (Mr. Garfield Dunlop): Okay, so NDP motion 20.1—

Mr. Peter Tabuns: Yes, 20.1 moved.

The Chair (Mr. Garfield Dunlop): Subsections 22(1) to (2.1) of the bill: Carry? Carried.

Shall section 22, as amended, carry? Carried.

Government motion 21.

Mr. Bas Balkissoon: Withdraw.

The Chair (Mr. Garfield Dunlop): NDP motion 22.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Government motion 23.

Mr. Bas Balkissoon: Withdraw.

The Chair (Mr. Garfield Dunlop): NDP motion 24.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Government motion 24.1.

Mr. Bas Balkissoon: I move it.

The Chair (Mr. Garfield Dunlop): It's moved. Subsection 23(1) to (5) of the bill: All those in favour? Carried.

Government motion 25.

Mr. Bas Balkissoon: Withdraw.

The Chair (Mr. Garfield Dunlop): Shall section 23, as amended, carry? Carried. Okay, thank you.

Government motion 26.

Mr. Bas Balkissoon: I move it.

The Chair (Mr. Garfield Dunlop): Government motion 26, section 24 of the bill: Those in favour? Carried.

NDP motion 27.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): NDP motion 28.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): NDP motion 29.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Shall section 24, as amended, carry? Carried.

NDP motion 30.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): NDP motion 30.1.

Mr. Peter Tabuns: Move to be carried.

The Chair (Mr. Garfield Dunlop): Those in favour of that? Carried.

Government motion 31.

Mr. Bas Balkissoon: Withdraw.

The Chair (Mr. Garfield Dunlop): Shall section 25, as amended, carry? Carried.

Shall section 26 carry? Carried.

NDP motion 32.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Shall section 27 carry? Carried.

NDP motion 33.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Government motion 34.

Mr. Bas Balkissoon: I move it.

The Chair (Mr. Garfield Dunlop): Government motion 34, subsections 28(2) and (3) of the bill: Those in favour? Carried.

NDP motion 35.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Shall section 28, as amended, carry? Carried.

Shall section 29 carry? Carried.

Government motion 36.

Mr. Bas Balkissoon: I move.

The Chair (Mr. Garfield Dunlop): Move that motion 36, subsection 30(2) of the bill—those in favour? Carried.

Shall section 30, as amended, carry?

Mr. Peter Tabuns: No, you're not—

The Clerk of the Committee (Mr. Trevor Day): 30.1 comes after section 30.

The Chair (Mr. Garfield Dunlop): It's a separate section here.

The Clerk of the Committee (Mr. Trevor Day): Thirty point one is a separate section that falls after section 30.

Mr. Peter Tabuns: Fine.

Mr. Bas Balkissoon: Okay, fine.

The Chair (Mr. Garfield Dunlop): And that's NDP motion 37.

Mr. Peter Tabuns: Withdraw.

Interjections.

The Chair (Mr. Garfield Dunlop): Oh, I thought we did it. Okay. Shall section 30, as amended, carry? Carried.

New section: 30.1, motion 37.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): It's withdrawn.

Government motion 38.

Mr. Bas Balkissoon: I move.

The Chair (Mr. Garfield Dunlop): Moved. Government motion 38, subsection 31(5) of the bill? Carried.

NDP motion 39.

Mr. Peter Tabuns: Withdrawn.

The Chair (Mr. Garfield Dunlop): Okay. Shall section 31, as amended, carry? Carried.

NDP motion 40.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Shall section 32 carry? Carried.

Shall section 33 carry? Carried.

Government motion 41.

Mr. Bas Balkissoon: I move.

The Chair (Mr. Garfield Dunlop): It's moved. Government motion 41, subsection 34(1.1) of the bill: those in favour? Carried.

NDP motion 42.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Withdrawn.

Shall subsection 34, as amended, carry? Carried.

PC motion 42.1.

Mr. Rob Leone: Moved.

The Chair (Mr. Garfield Dunlop): It's moved. Motion 42.1, subsection 35(2) of the bill—

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

The Chair (Mr. Garfield Dunlop): Recorded on that. We'll get that put right to the end there. Okay?

PC motion 42.2.

Mr. Rob Leone: Recorded vote again.

The Chair (Mr. Garfield Dunlop): Recorded is at the end. Subsection 35 will be done at the end.

Government motion 43.

Mr. Bas Balkissoon: Moved.

The Chair (Mr. Garfield Dunlop): Government motion 43, section 35.1 of the bill? Carried.

NDP motion 44.

Mr. Peter Tabuns: Withdraw.

1230

The Chair (Mr. Garfield Dunlop): Now we're on government motion 45.

Mr. Bas Balkissoon: Government motion 45, did you say?

The Chair (Mr. Garfield Dunlop): Yes.

Mr. Bas Balkissoon: I move.

The Chair (Mr. Garfield Dunlop): Government motion 45, subsection 36(2), paragraphs 1, 2 and 3: those in favour? Carried.

Shall section 36, as amended, carry? Carried.

We'll now move to section 37: NDP motion—

Mr. Peter Tabuns: Recorded vote.

The Chair (Mr. Garfield Dunlop): That goes to the end.

Section 47.

Mrs. Amrit Mangat: Against.

Mr. Peter Tabuns: Motion 47. Recorded vote.

The Chair (Mr. Garfield Dunlop): So motion 47 is recorded. Section 37 will be dealt with at the end.

Now we're going to section 38, government motion 48, subsections 38(0.1) and 38(0.2) of the bill.

Mr. Bas Balkissoon: We withdraw.

The Chair (Mr. Garfield Dunlop): Withdraw?

Mr. Bas Balkissoon: Yes.

The Chair (Mr. Garfield Dunlop): NDP motion 49?

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Withdrawn.

Government motion 50?

Mr. Bas Balkissoon: Withdrawn.

The Chair (Mr. Garfield Dunlop): NDP motion 51?

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Government motion 52?

Mr. Bas Balkissoon: Withdraw.

The Chair (Mr. Garfield Dunlop): NDP motion 53?

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Government motion 54?

Mr. Bas Balkissoon: Withdraw.

The Chair (Mr. Garfield Dunlop): Government motion 54.1?

Mr. Bas Balkissoon: I move.

The Chair (Mr. Garfield Dunlop): It's moved. Government motion 54.1, subsections 38(1) to (3) of the bill: those in favour? Carried.

Shall section 38, as amended, carry? That's carried.

We'll now go to section 39. Shall section 39 carry? Carried.

We'll now go to section 40: government motion 55.

Mr. Bas Balkissoon: I move.

The Chair (Mr. Garfield Dunlop): It's moved. Government motion 55, subsections 40(1) to (4) of the bill: those in favour? Carried.

The Chair (Mr. Garfield Dunlop): NDP motion 56.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Withdrawn. NDP motion 57.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Shall section 40, as amended, carry? Carried.

We'll now move to section 41, government motion 58.

Mr. Bas Balkissoon: Moved.

The Chair (Mr. Garfield Dunlop): It's moved. Government motion 58, subsection 41(1) of the bill: those in favour? Carried.

The Chair (Mr. Garfield Dunlop): NDP motion 59.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Withdrawn.

Shall section 41, as amended, carry? Carried.

We'll now go to section 42 and NDP motion 60.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Withdrawn. We'll now go to section—I'm sorry.

The Clerk of the Committee (Mr. Trevor Day):

This is when the ordering changes a little bit.

The Chair (Mr. Garfield Dunlop): Yes, excuse me. We've got to get a clarification here from Trevor.

The Clerk of the Committee (Mr. Trevor Day): We're going to change the order here a little bit. The second one that we're going to be dealing with is number 64. It's NDP motion 64. It will take a minute for you to get there.

Mr. Peter Tabuns: Our motion 64?

The Clerk of the Committee (Mr. Trevor Day): That's correct.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): On section 42, we'll now go to NDP motion 61.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): NDP motion 62.

Mr. Peter Tabuns: Withdraw.

The Clerk of the Committee (Mr. Trevor Day): We're going to jump to 65 now. This is NDP motion 65.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Okay, thank you. Back to—

The Clerk of the Committee (Mr. Trevor Day): No, we're going to do 63 at the end of all of this, so we're going to continue on now to 66, 67, 68, 69, and then jump back to 63.

The Chair (Mr. Garfield Dunlop): NDP motion 66.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): NDP motion 67.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): NDP motion 68.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): NDP motion 69.

Mr. Peter Tabuns: Withdraw.

The Clerk of the Committee (Mr. Trevor Day): Now it's 63 that we're going back to.

The Chair (Mr. Garfield Dunlop): Now we'll go back to 63.

The Clerk of the Committee (Mr. Trevor Day): It's government motion 63.

The Chair (Mr. Garfield Dunlop): Thank you. Okay, government motion 63.

Mr. Bas Balkissoon: Moved.

The Chair (Mr. Garfield Dunlop): Moved. Government motion 63, section 42 of the bill: those in favour? Carried.

Shall section 42, as amended, carry? Carried.

Thank you. We'll now go to government motion 70.

Mr. Bas Balkissoon: Moved.

The Chair (Mr. Garfield Dunlop): It's moved. Government motion 70, subsection 43(3) of the bill: those in favour? Carried.

Shall section 43, as amended, carry? Carried.

Shall sections 44 to 49 carry? Carried.

Section 50, which is NDP motion 71.

Mr. Peter Tabuns: Withdraw.

The Chair (Mr. Garfield Dunlop): Withdrawn. Shall section 50 carry? Carried.

Government motion 72.

Mr. Bas Balkissoon: Moved.

The Chair (Mr. Garfield Dunlop): It's moved. Government motion 72, subsections 51(2) of the bill, paragraph 4(2)4 of the Public Sector Compensation Restraint to Protect Public Services Act, 2010: in favour of that? Carried.

Shall section 51, as amended, carry? Carried.

Shall sections 52 to 55 carry? Carried.

Shall the title of—

Interjections.

The Chair (Mr. Garfield Dunlop): Oh, yes. Right.

The Clerk of the Committee (Mr. Trevor Day): We're now going to go back to the recorded votes. If any member would like a 20-minute recess?

Mr. Rob Leone: Twenty-minute recess.

The Chair (Mr. Garfield Dunlop): Twenty-minute recess? Okay. Back here at 12:57.

The committee recessed from 1237 to 1257.

The Chair (Mr. Garfield Dunlop): We'll reconvene the meeting. We're back to the two recorded votes on section 35. The first is PC motion 42.1.

Ayes

Leone, Pettapiece.

Nays

Balkissoon, Crack, Dhillon, Mangat, Mantha, Tabuns.

The Chair (Mr. Garfield Dunlop): PC motion 42.1 fails.

PC motion 42.2: those in favour?

Ayes

Leone, Pettapiece.

Nays

Balkissoon, Crack, Dhillon, Mangat.

The Chair (Mr. Garfield Dunlop): Motion 42.2 does not carry.

In that case, shall section 35 carry? Carried.

We now have two NDP motions. NDP motion 46: Shall motion 46 carry?

Mr. Bas Balkissoon: No, take the vote.

The Chair (Mr. Garfield Dunlop): Pardon?

Mr. Bas Balkissoon: Take the vote. He called for a recorded vote.

The Chair (Mr. Garfield Dunlop): I'm sorry. I'm trying to go too fast here, guys.

Mr. Peter Tabuns: Just about got it.

The Chair (Mr. Garfield Dunlop): Those in favour of NDP motion 46?

Ayes

Mantha, Tabuns.

Nays

Balkissoon, Crack, Dhillon, Mangat.

The Chair (Mr. Garfield Dunlop): NDP motion 46 does not carry.

Now NDP motion 47, a recorded vote.

Ayes

Mantha, Tabuns.

Nays

Balkissoon, Crack, Dhillon, Leone, Mangat, Pettapiece.

The Chair (Mr. Garfield Dunlop): NDP motion 47 does not carry.

In that case, shall section 37 carry?

Mr. Peter Tabuns: Recorded vote.

Ayes

Balkissoon, Crack, Dhillon, Mangat.

Nays

Leone, Mantha, Pettapiece, Tabuns.

The Chair (Mr. Garfield Dunlop): I'll be supporting the government on this—

Interjections.

The Chair (Mr. Garfield Dunlop): I'm going to vote to keep the bill in its existing form. It's carried.

Interjections.

The Chair (Mr. Garfield Dunlop): That doesn't mean I'm switching to your party, you know.

Interjections.

The Chair (Mr. Garfield Dunlop): Okay. That's enough of that nonsense. We're going to the very back here.

Mr. Bas Balkissoon: We'll renew your contract.

The Chair (Mr. Garfield Dunlop): Yeah, right.

Shall the title of the bill carry? Carried.

Mr. Rob Leone: Recorded vote.

The Chair (Mr. Garfield Dunlop): Shall Bill 122, as amended, carry?

Mr. Rob Leone: Recorded vote.

The Chair (Mr. Garfield Dunlop): Recorded vote? Those in favour—

Mr. Bas Balkissoon: Is the bill carried?

The Clerk of the Committee (Mr. Trevor Day): No. We have a recorded vote request on the bill, as amended, carrying.

Ayes

Balkissoon, Crack, Dhillon, Mangat, Mantha, Tabuns.

Nays

Leone, Pettapiece.

The Chair (Mr. Garfield Dunlop): That carries.

Shall I report the bill, as amended, to the House?

Mr. Rob Leone: Recorded vote.

Ayes

Balkissoon, Crack, Dhillon, Mangat, Mantha, Tabuns.

Nays

Leone, Pettapiece.

Mr. Rob Leone: Do half-hands-up count?

The Chair (Mr. Garfield Dunlop): Yes.

That carries. I will report the bill to the House.

Thank you very much, everyone. The meeting is adjourned.

The committee adjourned at 1302.

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