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**Official Report
of Debates
(Hansard)**

Tuesday 5 May 2015

**Journal
des débats
(Hansard)**

Mardi 5 mai 2015

**Standing Committee on
Government Agencies**

Intended appointments

**Comité permanent des
organismes gouvernementaux**

Nominations prévues

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LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
GOVERNMENT AGENCIES

Tuesday 5 May 2015

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DES
ORGANISMES GOUVERNEMENTAUX

Mardi 5 mai 2015

The committee met at 0901 in committee room 2.

The Chair (Mr. John Fraser): Good morning, everybody. You're just about at a late slip.

Good morning, Wayne.

Mr. Wayne Gates: How are you, buddy?

The Chair (Mr. John Fraser): Very good. Nice to see you. Welcome back. I missed you all last week.

Interjections.

The Chair (Mr. John Fraser): No, I did. Tuesday morning just wasn't the same.

SUBCOMMITTEE REPORT

The Chair (Mr. John Fraser): We have two intended appointees this morning, but first we have a subcommittee report. Mr. McDonell?

Mr. Jim McDonell: I move the adoption of the subcommittee report on intended appointments dated Thursday, April 30, 2015.

The Chair (Mr. John Fraser): Thank you very much, Mr. McDonell. Any discussion? All those in favour? Opposed? The motion is carried.

INTENDED APPOINTMENTS

MS. KATIE MAHONEY

Review of intended appointment, selected by third party: Katie Mahoney, intended appointee as member, Council of the Ontario College of Pharmacists.

The Chair (Mr. John Fraser): As I said, we have two intended appointees this morning. The first is Katie Mahoney, nominated as member, Council of the Ontario College of Pharmacists. Ms. Mahoney, can you come forward, please?

Thank you very much for being here this morning. You will have the opportunity to make a brief statement. Members from each party will have 10 minutes to ask you questions. Any time that you use for your brief statement will be taken from the government's time. The questioning—Mr. Gates, you mentioned something to me earlier.

Mr. Wayne Gates: No, I'm good.

The Chair (Mr. John Fraser): You're good?

Mr. Wayne Gates: Yes. Thank you.

The Chair (Mr. John Fraser): The questioning will begin with the third party.

Mr. Wayne Gates: Can we start with the second?

Interjections.

Mr. Wayne Gates: All right.

The Chair (Mr. John Fraser): Is that a no or yes?

Mr. Wayne Gates: No, it's fine.

The Chair (Mr. John Fraser): You're fine? Okay. The questioning will begin with the third party.

Ms. Mahoney, you can—

Ms. Katie Mahoney: Thank you. It has been a long time since anyone fought over me. So that's good.

The Chair (Mr. John Fraser): There we go. All right. Well, that's good.

Ms. Katie Mahoney: Good morning to the committee. It's my pleasure to be here, and I'd like to thank the committee for giving me the opportunity to chat with everyone today and to respond to any questions or issues that you might have.

Again, I'm Katie Mahoney. I am a long-time resident of the city of Mississauga—over 45 years. For the past 23 years, I was an elected member of the council of the city of Mississauga and the region of Peel, serving my constituency in ward 8 in the city of Mississauga. During that time, I have had an awful lot of experience in a wide variety of roles—boards, commissions, committees, subcommittees and ad hoc committees. I'm sure all of you, as members of the Legislature, are aware of the vast array of committees and issues that come before the committees.

I made a decision about two years ago that I was going to be retiring. I felt that after 23 years, and I just turned 65—so it was my time to retire and take life a little easier, but at the same time I didn't want to lose the challenge of intellectual challenges, the ability to work within a public sector organization and offer whatever talents and experiences I have. So I started at that time, a couple of years ago, to browse the website of the Public Appointments Secretariat and actually made an application for three or four different committees that I felt would serve some of the experiences where I could—the experiences that I had had and the opportunities. I received a contact from this committee and I'm very pleased to have my name submitted as a member of the council of the college of pharmacy.

I'd be pleased to answer any questions or chat about any issue.

The Chair (Mr. John Fraser): Thank you very much. Mr. Gates.

Mr. Wayne Gates: So you're retired?

Ms. Katie Mahoney: I retired November 30 of last year, yes.

Mr. Wayne Gates: You look too young to be retired.

Ms. Katie Mahoney: They say that you know when it's time, and I kind of knew when it was time. Again, as elected officials yourselves, you know that you can't necessarily retire in the middle of a term, so four more years—you know, it's not like you can say, "I'll retire next year or in six months."

Mr. Wayne Gates: Well, I was a city councillor and I enjoyed my time as a city councillor. It's very rewarding. Especially if you're a city councillor in Mississauga, I'm sure you had a very interesting time over those years.

Ms. Katie Mahoney: Yes.

Mr. Wayne Gates: So what's motivating you to seek the appointment? Why would you want to do this?

Ms. Katie Mahoney: Well, again, after you—as you indicate—were a member of city council and you know sort of the vast array of issues and things that you deal with, retiring completely was sort of out—not out of the question at all. I've got to admit, I've not done much over the last three months, and I've loved every minute of it. But intellectually, I know I need that stimulation, and I know that I have a lot to offer in the public realm. But I don't want to do anything full-time. I want to contribute where I can on a part-time or a lesser basis.

Mr. Wayne Gates: That kind of follows up to the next question. You know the requirements of the time commitment. Has anybody told you how much—

Ms. Katie Mahoney: Oh, yes. Again—

Mr. Wayne Gates: Why don't you tell me?

Ms. Katie Mahoney: There are four meetings—four actual board meetings a year, the two-day board meetings. Each member is expected to serve on a minimum of three committees, which—and I believe there are five; there are standing committees and subcommittees. So there's quite a number between the two. It could be up to 36 days a year, or it could be a lot less, depending on the business of the standing committee or the subcommittee at the time. So I'm prepared for that. I'm fully committed to a maximum of 36 days a year.

Mr. Wayne Gates: Okay. I spent a lot of time over the last year actually meeting with a lot of pharmacists, and some of the things that are going on I personally believe could be positive on cutting down on some of our health care costs and some of the needs for people to go to the doctor. One of the things that they're doing is flu shots. What's your position on that?

Ms. Katie Mahoney: My flu shot this year, I got with my pharmacist at Shoppers Drug Mart, and it was a great experience. So absolutely, I think we need to be utilizing our pharmacists. They're well trained and have spent lots of years in their profession and in their training and are well qualified. In other jurisdictions within this country, and certainly within North America, pharmacists have a lot more responsibility than we in Ontario in the past that have provided to them. So if a pharmacist can—the costs would be less for pharmacists to administer things like

flu shots and different other public-health-type medicines and inoculations.

Absolutely, it is cost-efficient. It is efficient for the consumer to be able to go into Shoppers Drug Mart as opposed to perhaps make an appointment with their doctor or other walk-in clinics. The health care system will benefit financially from that as well. It's a win-win all the way around.

Mr. Wayne Gates: Yes, because actually they're—and I'm sure you'll hear a lot of this if you're appointed to the board. They're looking to expand their scope, trying to free up doctors' offices, particularly with the other one that they're very good at, checking blood sugar for diabetes. I got my flu shot this year at the pharmacy in Niagara-on-the-Lake, Simpson's pharmacy. So I think it's—

Ms. Katie Mahoney: Not the old one—not the pharmacy? No. Okay.

0910

Mr. Wayne Gates: No, but I think it's something that's important to free up doctors' time so that they can take care of some of the more pressing needs rather than five or 10 minutes in the office. I'm glad that you agree to that.

I would like to ask you a little bit about your city council role. What was some of your role while you were at city council for all those years?

Ms. Katie Mahoney: Just to be clear, I was both at the city of Mississauga and the region of Peel, so I served on two separate councils, although we did work together, obviously. I served on boards and committees through both of those councils.

Interestingly enough, one of the reasons that perhaps brings me here today: I started out my career serving on—some of you may not have even heard of it—the district health council. It was sort of a forerunner—it was a planning board for health care. I feel like an ancient saying it, though, that I actually served on one of those. It was an OIC at the time.

As district health councils were phased out, the LHINs came into place. The regional level of government, the region of Peel, was responsible for long-term care for seniors. I led the team doing the transition from taking seniors' care and long-term care from the region of Peel. It was deemed that that care should then come under the wing of the LHINs. So I worked with the region of Peel staff, the LHINs, and the Ministry of Health and Long-Term Care at that time to better ensure a good transition for particularly, obviously, the elderly and the seniors and those in need, but as well the staff. There were union negotiations and lots of things.

The library board: I served on the library board for many years; as well, heritage, the Credit Valley Hospital board of governors, Enersource board of governors—Enersource is the public electrical hydro utility within Mississauga—the planning committee. You know, whenever I try and think of all of these areas, it just is overwhelming—the Living Arts Centre, which is arts and culture. So the gamut from arts and culture, health care,

social services and the usual stuff, the planning, the budget—I must admit to all of you that the budget was never my favourite, but we got through it always—and responding to the citizens of ward 8 in the city of Mississauga. That was a particularly fulfilling job. I made a lot of good friends, good relationships, got taught a lot by the people that I represented, and we worked well together.

I believe I work well with the general public, and as a member of the public serving on this committee, I think it's important to open transparency with the work of the council, and that is what I do.

Mr. Wayne Gates: Well, I can tell you, we're not having any more fun with our budget either here. Budgets are always a challenge on the best of days at, I think, all levels of government.

Ms. Katie Mahoney: I believe so.

Mr. Wayne Gates: No matter what you do there, I think you're always going to have some interesting times.

Ms. Katie Mahoney: You're darned if you do, you're darned if you don't. Yes.

Mr. Wayne Gates: It is what it is.

The Pharmacy Act of 1991: Are you familiar with it?

Ms. Katie Mahoney: Yes, I've gone through the act. Sometimes it is tough slogging through some of those acts, but I have pretty much read it through and I understand it.

Mr. Wayne Gates: Are there any concerns under the act that you'd like to bring forward to either—well, hopefully to improve it?

Ms. Katie Mahoney: Well, I think I need to get boots on the ground to better understand what I read in a document full of legalese and subsections and sections and what actually is sort of happening out there. Being on the committee and on the board, I think, will be helpful to better understand the needs that may be there in order to make amendments to make changes to the act and update the act; 1991 is a long time ago.

Mr. Wayne Gates: That's why I was thinking that maybe there would be some room for improvements, and one that I questioned you on even earlier. I've been meeting with pharmacists right across my riding, and they're saying that the act has to be changed and improved for the reasons that we talked about around expanding the scope of their work. I think if you talk to particularly seniors, because I've had that opportunity as well, seniors are liking the convenience of being able to go to their drugstore.

Quite frankly, they're going to the drugstore more and they seem to be more friends or closer to them than they are to their doctors nowadays. They feel, when they go to the doctor, the doctor has got 15 minutes to get them in and get them out—you know, their room was full.

So I think expanding their scope is a really good idea. I think it started with the flu shots. I can tell you that I went and got my sugar checked there. It was after I had chocolate milk, and I was surprised how it can jump up pretty quick with drinking chocolate milk, but it does. I think that's all good stuff. I think that's something that, if

you're appointed, you should really focus on improving their scope. I think it's a benefit, a win-win for everybody.

The Chair (Mr. John Fraser): Thank you very much, Mr. Gates.

Interjection.

The Chair (Mr. John Fraser): You're done already. Time flies when you're having fun.

Mr. Wayne Gates: Thank you. It's my pleasure.

Ms. Katie Mahoney: My pleasure too, Mr. Gates. Thank you.

The Chair (Mr. John Fraser): Thank you. Madame Lalonde?

Mrs. Marie-France Lalonde: Good morning.

Ms. Katie Mahoney: Good morning.

Mrs. Marie-France Lalonde: How are you doing?

Ms. Katie Mahoney: I'm well, thank you.

Mrs. Marie-France Lalonde: Good. Thank you very much for being here today. I'm a Rotarian. I don't have my pin, but congratulations on your Paul Harris award. This is a huge accomplishment, so congratulations.

Ms. Katie Mahoney: It is, thank you. I do appreciate that.

Mrs. Marie-France Lalonde: I guess thank you also for all your years that you've served your community. I'm new, moving forward, as a politician, so it's refreshing to see someone coming forward and still wanting to be involved. So thank you for that.

Ms. Katie Mahoney: Thank you. It's a very rewarding role.

Mrs. Marie-France Lalonde: Ms. Mahoney, the minister, when he talks about colleges—the College of Pharmacists—he talks a lot about being very transparent. He makes sure that transparency is going to be something that will be a priority. Can you maybe tell me a little bit of your view on this?

Ms. Katie Mahoney: I guess I have to say, coming from a municipal sector where openness and transparency are sort of what you do—the Municipal Act calls for that. I have to say, during my time in Mississauga—I'm obviously not going to speak to every municipality, but certainly within the region of Peel and the city of Mississauga, I believe there was openness and transparency. When there was not, members of council, myself included, would oftentimes question, “Why are we going in camera on this matter? Why is this not being released to the public?”—those sorts of things.

So it is very important to me as a consumer, as a member of the general public, and someone who has represented the public who needs to have all aspects of all of the issues that come before, in this case, the college—obviously if they don't include personnel matters and legal matters and the sorts of things that until such time as they can become public. But when the time is there for matters to become public, they need to be done so in a smooth manner.

Mrs. Marie-France Lalonde: That's good. I think you've covered it a little bit with MPP Gates, but maybe just for me, the district health council—you referred to

that. Can you maybe explore a little bit what was your role? What were sort of the benefit and your challenges being on that council?

Ms. Katie Mahoney: Well, the challenge is that it was the first thing I was appointed to as a newly elected councillor. I had no idea what I was doing there. I also had no idea that an order in council—in those days, it took a year for the order in council to come through. So I didn't have any voting ability until the OIC came through—

Interruption.

Mrs. Marie-France Lalonde: That's okay; don't worry. It's just a board in the front.

Ms. Katie Mahoney: Okay. The district health council at that time was responsible for the planning of health services across the province—again, similar to what the LHINs do now, but the LHINs' role got expanded—as well as the budgets of the hospitals within their jurisdiction, which I always found a little odd. There were very detailed reports and work on the health planning: of course, all the stats and all of the academics who brought together demographics, immigrant population, that sort of thing, so planning for what are we going to be looking at within the future in health.

0920

Smoking cessation at that time was emerging. Bullying was not on the horizon, but all of those things that lead always to mental health. It still continues to be an issue today, that we're not putting enough resources in that sector. It's in dire need of more assistance and attention, and—

Mrs. Marie-France Lalonde: And I would say that this week is the week of mental health and addictions, so it's—

Ms. Katie Mahoney: Yes, it is Mental Health Week.

Mrs. Marie-France Lalonde: —an important week.

Ms. Katie Mahoney: Yes. So it was health care planning, so which medical facility would take the role and responsibility within different disciplines: cancer care, early years care, that sort of thing. But what I found at the time was that there appeared to be a lot of layers between the Ministry of Health, the hospitals and all of the different disciplines, and nobody seemed to be in sync. Again, that first year when I was there, it was sort of, "Are these guys the good guys or the bad guys? Are we working together?"

Mrs. Marie-France Lalonde: It's only good guys in health care.

Ms. Katie Mahoney: It was a good learning experience, and it did a lot of good work. I'm not being negative. The district health council did do a lot of good work. It was a good organization for its time.

Mrs. Marie-France Lalonde: Well, I know for my part, based on your past experience and everything, it'll be a pleasure to hopefully have you serving on this board.

Ms. Katie Mahoney: Thank you. I appreciate those comments.

Mrs. Marie-France Lalonde: Thank you for appearing here.

The Chair (Mr. John Fraser): Thank you very much, Madame Lalonde. Mr. McDonnell?

Mr. Jim McDonnell: Thank you for coming out today. I guess it's kind of nice to enter retirement after a long session, especially with the public service and councils. It's certainly something that fills up any extra time you have.

Ms. Katie Mahoney: Yes.

Mr. Jim McDonnell: With your appointment to the college, would you see any committees that interest you as far as your appointment to the board?

Ms. Katie Mahoney: I think they all interest me. Obviously, some of the more technical ones that would relate specifically to being a pharmacist might be a large learning curve, but I'm willing to get on that curve.

No, I think I don't necessarily have any preference. I think wherever I may get appointed—you know, the new guy usually gets the dog committees. I know that. I shouldn't say that out loud—please, Hansard, disregard that. I know that, but I'm happy to do whatever role is offered to me.

Mr. Jim McDonnell: Sure. I know that over the past few years they've expanded the roles of pharmacists in the health field. Just last year, I think it was the second year I got a flu shot at the pharmacist. I think it's practical and quite efficient to be able to just stop in without having to make an appointment for a doctor and tie up his time.

At the same time, we were downstairs at the lymphoma breakfast today, and of course there's a lot of new options for chemotherapy that are over-the-counter pills, but they aren't covered by the government. In talking with some of the staff down there, they said that there are some issues, but certainly in other areas they were able to get over them. Do you see pharmacists being able to take a greater role, especially when it comes to oral medication, being able to be part of the system to help in that type of treatment of cancer?

Ms. Katie Mahoney: My sense would be that there are so many forms and types of cancer, so without a close working relationship with oncologists, radiologists and all of the—

Mr. Jim McDonnell: I guess maybe the issue is—

Ms. Katie Mahoney: The dispensing of?

Mr. Jim McDonnell: If they're dispensed in the hospital, they're covered. If they're dispensed in the pharmacy, they aren't.

Ms. Katie Mahoney: I see.

Mr. Jim McDonnell: There seems to be an issue where the logic is—in her terms, it was antiquated, but really it's that the expertise in dispensing of these drugs could be easily be done in a pharmacy that's not in the hospital. They are prescribed by the oncologists, by the physicians. It's just an easier way for somebody to take these drugs at home versus having to go to a hospital and tie up a bed, that type of thing, where they are being dispensed in other jurisdictions.

Ms. Katie Mahoney: Yes, and I'm sure there are—I would agree. If it is possible for a patient to administer

the chemotherapy or whatever cancer medications at home through dispensing of their local pharmacist, then I would absolutely support that.

My husband had cancer a couple of years ago. He's well, he's fine, he's good. He's worse than ever, actually—well, the cancer is cured, but the rest of it we can't fix.

Mr. Wayne Gates: I take offence to that.

Ms. Katie Mahoney: You're not the husband. On his behalf?

Interjection.

Ms. Katie Mahoney: He was treated at Princess Margaret, and it was an experience that no one should have to go through. The good news, again, is that he's cured and he's well. Having gone through that experience, I guess I'm personalizing the question you're asking. Yes, had there been medication that could have been dispensed by the local pharmacy and prescribed by his doctors at Princess Margaret, it would have made life a lot easier for a lot of people, and yes, it probably would have been less expensive on the health care system. Yes, if it's at all possible; I think it makes sense.

Mr. Jim McDonell: I was involved with a nurse practitioner clinic back in my riding, and the pharmacists were a big part of it. They would come in and help people with their medication. There are very few people who see all the medication that a patient receives. You may have a specialist, a doctor, a walk-in clinic all prescribing medication, but the issue is that it all comes together with the pharmacists. They were a big help in helping them organize the weekly medications. I remember that my mother would have quite a rash of pills that she would have to take each day. It gets confusing for them, and help in organizing is a big feature. It makes them feel a lot more comfortable.

Ms. Katie Mahoney: I don't disagree. The pharmacist is the one who has the complete record of medications. Oftentimes seniors will have prescriptions from varying doctors and there's no one coordinating body. Your pharmacist is the coordinating body, and they are the best resource for the advice and the dispensing of the medications that aren't going to interact badly with each other or cause other concerns.

I guess one of mine—and I would have to wait until I was actually sitting at that table, if I hopefully am—is the dispensing of medical marijuana. It's a question that I've done some looking into but not getting any answers. That's going to be interesting going forward. I've not heard of the pharmacists actually having that ability and authority to dispense that. It's going to be a challenge going forward.

The Chair (Mr. John Fraser): Mr. Pettapiece?

Mr. Randy Pettapiece: Thank you for coming in today. I was certainly interested in your thoughts on open and transparent when you were in government, when you were in council. As a councillor, I would ask if you could put that down into hard copy and send it to this current government. It might help them out a little bit.

Interjections.

The Chair (Mr. John Fraser): Okay. On to the questions.

Ms. Katie Mahoney: I do that at the ballot box.

Mr. Randy Pettapiece: On your resumé here it talks about your involvement with council. There are two paragraphs here; it says, "As a municipal elected official I am...." and the next paragraph says, "As a municipal councillor I was...." Is it "was" or "am"?

Ms. Katie Mahoney: My error, obviously. I was a councillor.

Mr. Randy Pettapiece: Okay. So you're not currently a councillor.

Ms. Katie Mahoney: In my opening statement, I indicated that I retired after 23 years, in November 2014.

Mr. Randy Pettapiece: All right.

I come from a rural riding. We are in a position of not having enough doctors right now. I forget the term, but we're in a red alert, if I might put it that way, as far as doctors go.

0930

Ms. Katie Mahoney: Yes.

Mr. Randy Pettapiece: I, myself, have often gone to our local pharmacies and quizzed them about what's going on, if I happen to be prescribed any pills or anything like that. So I was certainly impressed with your response to increasing the scope of pharmacists, because they're trained in schools to know what the drug is supposed to do. I would suspect they may know a little bit more at times than doctors do, especially with new drugs coming along the line. I think that's a great idea, and I would hope that whatever committee you serve on with this board, you might impress that upon them: that we need to have this done. The same with nurse practitioners: Their scope is going to increase too, and free up our doctors for work that only they can fulfill.

Those are my comments. Thanks.

Ms. Katie Mahoney: Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece.

Ms. Mahoney, thank you very much for being here this morning. You may step down.

Ms. Katie Mahoney: Thank you very much. Thank you for your time.

The Chair (Mr. John Fraser): We'll consider the concurrences at the end of our meeting.

Ms. Katie Mahoney: That's what I understand.

The Chair (Mr. John Fraser): You're welcome to stay.

Ms. Katie Mahoney: Thank you so much.

The Chair (Mr. John Fraser): Thank you.

MR. WILLIAM NICHOLLS

Review of intended appointment, selected by the official opposition: William Nicholls, intended appointee as member, Ontario Labour Relations Board.

The Chair (Mr. John Fraser): Our next intended appointment is William Nicholls, nominated as a member of the Ontario Labour Relations Board. Mr. Nicholls,

please come forward. Thank you very much for being here this morning. You may make a brief opening statement, and then each party will have 10 minutes to question you. Any time that you use for your statement will be taken from the government's time. The questioning will begin with the government.

Thank you very much, Mr. Nicholls. You may proceed.

Mr. William Nicholls: Great. Good morning, Mr. Chairman. First of all, it's a pleasure to be here this morning. I first want to extend my thanks to the committee in providing me an extension from March 31 to be here this morning.

Perhaps I'll give a little background on myself. I've been involved with the labour movement for the past 42 years as a member of the International Union of Painters and Allied Trades, beginning, of course, with an apprenticeship as a painter, decorator and drywall finisher in the residential and commercial construction industry. As a very young man, I witnessed a co-worker fall to his death. From that point on, I realized how dangerous the workforce could be. Since that tragic experience, I've been drawn to workers' safety and a balanced workforce.

I participated in my very first session of collective bargaining at the age of 20 and realized at that point that it's not just the needs of workers, but employers also have challenges to stay in business. I concluded and realized that employers are a worker's business partner.

I went on to union politics, worked as an organizer, a trainer, and became a leader responsible for negotiating contracts, dealing with grievances, improving market share, preparing budgets, establishing training programs, and very involved with employer-employee relationships.

I have also spent many of my days at the Ontario Labour Relations Board with grievance files and applications for certification. I learned to respect the process and the judicial environment that it represents.

During my career in the labour movement I have always been an advocate of not just a fair and balanced workplace for workers but essential as employee-employer relationships. I've participated on numerous labour management industry forums, and training and benefit trust fund boards involving governments and market share issues. But in the big picture of the construction industry, I've worked with trade contractors and employer associations on many construction industry initiatives, including the Ontario Construction Secretariat and the former Construction Safety Association. As a matter of fact, I was very much involved as a labour co-chair in merging the former CSAO into the current Infrastructure Health and Safety Association.

Apart from sitting on labour management trust funds and boards, I have worked with government and been in the boardrooms discussing labour-related legislative matters affecting the construction industry. I participated as a member of the labour minister's Construction Advisory Council, discussing policy pertaining to the Labour Relations Act under five different labour ministers.

A number of years ago the Ontario Labour Relations Board was extremely burdened with hundreds of jurisdictional disputes in the electrical power sector of the construction industry. I was involved, with many other trades, in negotiating an alternative mechanism to remove the power sector disputes from the OLRB to an internal mediation arbitration process that became the creation of the Chestnut Park Accord. It has become extremely successful in the resolution of those disputes.

With all of my experiences, I feel that I have been able to understand both worker and employer challenges. I listen and provide judgment on the facts. I attempt to resolve issues to avoid negative outcomes, and I'm always seeking a winning solution that's fair to all the parties. I believe I've earned the respect from my labour peers and the trust and confidence from employer counterparts to serve on the Ontario Labour Relations Board with integrity and to bring a fair and representative balance for workers and employers.

Thank you for your attention, and I'm open to any questions.

The Chair (Mr. John Fraser): Thank you very much. Ms. Martins.

Mrs. Cristina Martins: Thank you, Mr. Nicholls, for being here and for applying for this position. I wanted to thank you for all of your years in the labour movement and in mitigating some of those employee-employer relationships, which I'm sure have not been easy along the way.

I guess the question here today is: How do you see the role of an employee representative on this particular board?

Mr. William Nicholls: Well, first of all, I think it's important as a representative of employees to ensure that we have the best qualified people who are going out to serve and produce work for our employers. In addition to that, every worker ought to know what's expected of himself in regard to a workday, as well as every employer being appreciative as to what that worker is going to do for the day. It's a balance. It has to be a balance.

Mrs. Cristina Martins: And after all your years in the labour movement, what is it that strikes you about this particular board that says, "I want to be part of this board"?

Mr. William Nicholls: Well, representing workers and being in front of the Labour Relations Board for many years—I've put in 42 years as a worker representative and always felt that legal issues at the Ontario Labour Relations Board have been very, very important in setting the grounds to good worker relationships, good employer relationships, and I think I've come to a point in my life where I'd like to give a little something back. It's quite gratifying, actually, to be able to be part of the Ontario Labour Relations Board.

Mrs. Cristina Martins: Thank you.

The Chair (Mr. John Fraser): Thank you, Ms. Martins. Official opposition: Mr. McDonnell?

Mr. Jim McDonnell: Thank you for coming out today. You mentioned the experience in your resumé and a little

bit about your experience as an organizer. Throughout your experience, did you organize under the 55% rule in the construction sector?

Mr. William Nicholls: Yes.

Mr. Jim McDonell: Under the current rules, two workers on a weekend can force the certification of a large business employing thousands of contractors without a vote. Appealing such a certification is extremely costly and the employer is no longer able to compete locally. In my area, I've known a couple of instances where this has happened with two people working, three people working on a weekend; the company goes in on Monday to find out the whole company's been unionized, against the wishes of the employees. Do you think this just amounts to a hostile takeover and is it really fair?

Mr. William Nicholls: Not in relation to the construction industry, due to the fact that the construction industry having so much mobility. Workers move from place to place. Most of the construction job is done. That's it; the workers move on to another facility. But on the other hand, workers also have the right to decertify with one employee, and I think that's important for everyone to understand. This is often missed when it comes to whether it's a certification or a decertification. So I think it creates a balance there as well.

Mr. Jim McDonell: But to be fair on that comment, though, there is a minimum number of years they have to remain before they can ask for a decertification vote. In the experience I've had with a couple of companies—one was 40 employees, and 38 of them fought with the employer not to undo the certification. It was very costly, somewhere close to a million dollars to overturn that decision at the Labour Relations Board.

One's got to wonder: When you've got 38 people who don't want it and two who voted for it, where is that fair in the realm of labour relations in today's world?

Mr. William Nicholls: Well, I'm not sure if it's fair or unfair. I just know that that's an opportunity for workers at that particular point in time to make that application, whether for or against being unionized in an employer environment. I don't make those rules, but that's what the law is, and that's the law that's been practised for many, many years.

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Mr. Jim McDonell: Well, it's interesting. Those regulations were put in place under this Liberal government, and it's certainly turned things around. I noticed that while you were president of the Ontario council of painters and a senior member of the local, your organization accounted for over \$250,000 in donations to the Liberal Party and the Working Families Coalition. Any comment on this as far as—

Mr. William Nicholls: There were contributions to Working Families, not the Liberal Party.

Mr. Jim McDonell: Both. We have records—

Mr. William Nicholls: There were also contributions to the Progressive Conservative Party as well as the NDP, as well as candidates from all three parties.

I guess I have to mention that I'm not here on a political standpoint. I'm here to sit as a member of the Ontario Labour Relations Board, which removes the politics. That's my goal.

Mr. Jim McDonell: Well, we have a little concern, because in the last month or so, we've had three nominees to the Labour Relations Board, and they've all been from the labour side. I think there's an issue around a balance between both employee and employer. I don't want to take it out on you, but you're the person who's here today.

We see in the last two reports from the commissioner of Elections Ontario that this is an issue that's affecting the outcomes of elections. I know that you've probably given some money to the other two parties, ours included, and we thank you for sponsoring, but you're looking at \$250,000 to a group, which is not allowed anywhere else in this country. Anyway, it is an issue, and I think it's something we see where the recommendations of the commissioner should be followed.

One of the issues we have with the College of Trades, of course, is that we see it as an impediment to getting new people into the trades. It's something that we're looking at in this country, being a million tradespeople short by 2020, as people are retiring.

You've worked with skilled trades youth throughout your career. Have you experienced that, trying to get more people involved with the trades but running into problems with the ratios or other issues?

Mr. William Nicholls: No. Actually, recruitment has to start at an early age, and we're into the community recruiting people to get into the construction trades. We have full apprenticeship programs where we are able to put individuals out into many of the industries that we represent.

Mr. Jim McDonell: I met with our local high school co-ordinators in the last couple of years. They've had a problem where in high school there are no limits, and they have a lot of students they've been able to interest in them. They get a year of college in, they fall into the trades and they've had to drop out. The students come back to them kind of upset because they've got involved in a stream of education that they enjoyed, but of course could not get an apprenticeship job because they couldn't get the hours in. That's something we are seeing locally, and it's something that they've been quite vocal on, because it takes away their credibility when they're trying to encourage people to go into something but then they're blocked by a rule down the road.

I think Mr. Pettapiece had a question too.

Mr. Randy Pettapiece: Yes, just a short question. You started as a painter?

Mr. William Nicholls: A painter-decorator, sir, yes.

Mr. Randy Pettapiece: The way it is now, is there a ratio for journeyman painters to apprentice painters?

Mr. William Nicholls: Yes, 3 to 1.

Mr. Randy Pettapiece: It's 3 to 1. So you have to have three journeymen on the job to one apprentice?

Mr. William Nicholls: Yes.

Mr. Randy Pettapiece: I think that's what Mr. McDonnell was talking about. It's difficult for young people to get involved because of those ratios. We see this in not only this trade, certainly, but in other trades. You have to have so many people there.

In fact, it affected my son. He's an electrician now. When he first started, he had to have—I don't know what the numbers were; three to four electricians with him, whatever the journeyman ratio is. They would be working on a job, and the company would get some service calls it would have to go on. So the journeymen would have to leave and my son would be sent home, because he couldn't work on the job without these guys there—which is fine; when he's starting out he shouldn't be doing these things. That's okay. But the thing is, he wasn't able to get his hours in as quickly as he wanted to.

We would suggest that maybe these ratios are a little out of line, and that's inhibiting young people to get into the trades as quickly as they want to. Because we do have a shortage of tradespeople in this province. So your thoughts on that?

Mr. William Nicholls: I must say that we represent several trades, and one of our trades is 2 to 1. I'm not sure about the electricians, but I know that for many years it was beneficial to have a 3 to 1 ratio due to the fact that it's a safety factor and an education factor. You don't want to be burdened with too many apprentices when you're actually trying to get the job done. That's always been something that came from our employers, to make those ratios a little higher, just for a safety factor and an education factor, to make sure that apprentices are properly trained by a quota of journeypersons.

Mr. Randy Pettapiece: But I think we're seeing that swing the other way now.

Mr. William Nicholls: In some cases, I have to agree with you.

Mr. Randy Pettapiece: So I just thought I'd bring that up.

Mr. William Nicholls: In some trades, I have to agree with you.

Mr. Randy Pettapiece: Okay. Thank you.

The Chair (Mr. John Fraser): Thank you very much, Mr. Pettapiece. Mr. Gates?

Mr. Wayne Gates: How are you doing?

Mr. William Nicholls: I'm doing well, thank you.

Mr. Wayne Gates: Make sure you say hi to Pat for me. I see he is one of your references. I've dealt with Pat over a number of years.

On the ratios and the apprentices, for my good friends here, the reality is that some employers, what they do is try to take advantage of the ratios. They hire apprentices and lay off journeymen, even though they're not getting their training. We see that a lot in some of the shops that I've had the privilege of representing, as you know. You've been a labour leader for 42 years, and I'm very close to that—I am 42 years, and elected, and I don't hide from that fact.

One of the things that I am seeing a lot of and that we've been seeing certainly over the last few weeks—I

had the opportunity to do 150 collective agreements, and through that period of time, we had one work stoppage. So the myth—that if you belong to a union, all you do is strike—certainly is inaccurate. But one thing that you have to do is have a relationship with management and with the union. Some of the things that I'm seeing with the teachers' strike that's going on and with a group that's called CarePartners down in my riding, you've got to have a dance partner. You've got to go to the bargaining table and be able to find common ground at the end of the day, where the employer feels good walking away and the union feels good walking away. I'm really seeing right now that that's not happening in the province.

I'm wondering if you agree with that, or maybe I'm just not paying attention. I notice in your documentation that you did first agreements. They are tough. But one way to get a first agreement is to make sure the employer is coming to the table. I understand they don't like the fact that their employees got upset and joined a union, but at the end of the day, they've got to get a collective agreement. Again, this CarePartners, which is in my riding, doesn't want to come to the table.

What's your opinion on it? Are you seeing more of that? Less of that? What do you see?

Mr. William Nicholls: Just a couple of comments. First of all, sometimes my biggest fights were within my own group, which you probably have experienced. The other thing is, I want to mention that, in 42 years, I've had three strikes. One strike lasted a day, another strike lasted three weeks, and that was due to trying to obtain a benefit package. The construction industry is a little strange, so we had a strike for three weeks in the construction industry, without going into all the details of that. So it's worked out very well.

The other point I wanted to make was—I lost my train of thought. Sorry.

Mr. Wayne Gates: That comes with age. I can relate to it.

Interjections.

Mr. Wayne Gates: Well, I said I can relate to it. It's not a big deal.

Mr. Randy Pettapiece: You're speaking for all of us.

Mr. Wayne Gates: That's right. It is what it is.

Mr. William Nicholls: Yes, I totally agree.

One thing that I've always practised is that on a rotation of a three-year collective agreement, I don't negotiate for the last 60, 90 days. My theory is, you negotiate over that three-year period. As soon as negotiations are complete, we take a break for a few months and then we get back into what I call industry meetings. Then you're talking about the next collective agreement and trying to work out flaws that might be in a particular collective agreement or work out industry problems that might be in the coming future.

So it's not just a matter of 60, 90 days out. It's a matter of having a relationship and maintaining a relationship to ensure that you don't come up against those problems. I think that part of my success over the many years as a labour leader is doing just that.

Mr. Wayne Gates: Okay. I've got a couple of things here. One is on the apprentices—I'll give you two kind of statements or questions and you can answer after I finish. On the apprentices: We have to put more money into it, not less, and we're seeing in this particular budget that some of that is less. But I think more importantly, they're at the bargaining table with schools right now. We have to get back to starting in grade 7 and 8 and into our high schools where we can take shop again.

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I came out of a four-year tech course where I took welding; I took sheet metal. I understood how to lock out a machine. I know times have changed, but I got right into General Motors and was able to go work in that type of environment. So I really think that we should take a serious look at putting them back in grades 7 and 8 and high school, knowing that we're having the skills shortage.

The other thing that I think is really hurting the process and the bargaining process—if you get appointed to the board, it might be something that you want to raise as well—is the position of scabs, or replacement workers, in the province of Ontario. I firmly believe—and I'm not just saying this, because I don't think there's anything wrong with union leaders, by the way. I know you guys think that might not be—there's nothing wrong with us. We're actually pretty good at what we do. But at the end of the day, it's hurting the bargaining process having scabs in the province of Ontario. I think it hurts the relationship not only in the province, but it also hurts the relationship between the employer and the workers forever.

I think that we should take a serious look in the province of Ontario at getting rid of that and having the employers go back. I think you said that you've done about 150 collective agreements, and I've done 150. There's 300 collective agreements, with two work stoppages. But the one that's out there today is almost two years old, and because they're using replacement workers, it's not forcing the parties to get to the table. I think it's a mistake.

On the apprentices and on replacement workers, I'd just like to hear your comments.

Mr. William Nicholls: Well, I'll go with the replacement workers. That has not been an issue for me in the construction industry. It just doesn't happen.

Again, I want to go back to what I said. I think if you want to finish collective bargaining on a good note, then you must be on time. To go over that time period is certainly a stress on both the workers and management. I think it's imperative that those discussions continue during the term of a collective agreement.

On the apprentice thing—sorry, your point again on the apprentice—

Mr. Wayne Gates: Schools—going back to the shops in the schools.

Mr. William Nicholls: Absolutely. I, the same as you, grew up in an environment in schools where we had wood-working; we had the metal shops; we had the electrical shops. I have talked to many politicians in the

past many years that I think that needs to come back to the school system. Because I think that's part of the problem that we have today, that we haven't practised that. We haven't continued that.

Mr. Wayne Gates: Okay, just—have I got time?

The Chair (Mr. John Fraser): Yes.

Mr. Wayne Gates: Good. First of all, the other thing that I noticed was your community involvement, which is very important. I was campaign chair of the United Way for two years back in Niagara, and the backpack program is so important for some of the underprivileged children that we have going to our schools in September.

The one thing about that program in my community: We have hundreds of volunteers. Sometimes it's tough to get volunteers today. I heard you're with the Rotary Club. Some of those organizations or service clubs are really struggling today to get volunteers. On the backpack, people are excited to do it. We never have a problem. We get it done relatively quickly. Obviously, we give them pizza and wings or whatever we do at the end of the day. So I'd like to just say thank you for bringing that into your community as well. It's so successful.

The last thing I want to say is that you put 42 years of your life in the labour movement. It's not easy. It's not a job where you get a lot of people who say thank you to you, by the way. The odd time you may be surprised that the toughest people that we deal with are our own members, in probably words that some people in this room might not be used to. So I just want to say, on behalf of myself, thank you for your 42 years in the labour movement, trying to make this province a better place for all of us, including our kids and our grandchildren in the future, and for putting your name forward to get on the board.

Mr. William Nicholls: I thank you very much.

Mr. John Fraser: Thank you very much, Mr. Gates. Mr. Nicholls, thank you very much for being here this morning. You may step down. We will consider the concurrences immediately after you step down, and you're welcome to stay in the room.

Mr. William Nicholls: Thank you very much.

The Chair (Mr. John Fraser): Thank you.

We will now consider the concurrence for Katie Mahoney, nominated as member, Council of the Ontario College of Pharmacists. Can I have someone please put—Mr. Rinaldi.

Mr. Lou Rinaldi: Chair, I move—

Interjection.

The Chair (Mr. John Fraser): One moment, Mr. Rinaldi.

Mr. Wayne Gates: I'd just like a recorded vote, please.

The Chair (Mr. John Fraser): Okay. Thanks—a recorded vote. Mr. Rinaldi.

Mr. Lou Rinaldi: Yes. Thanks, Speaker—Chair; sorry. Oops.

Interjections.

Mr. Lou Rinaldi: Whatever.

Chair, I move concurrence in the intended appointment of Katie Mahoney, nominated as member, Council of the Ontario College of Physicians.

The Chair (Mr. John Fraser): Thank you very— pharmacists.

Mr. Lou Rinaldi: Pharmacists, yes.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. I appreciate it. We're all aging here quickly.

So do we have any pertinent discussion? All right. All those in favour?

Interjection: Recorded vote.

The Chair (Mr. John Fraser): Recorded vote, yes.

Ayes

Dhillon, Gates, Lalonde, Martins, McDonell, McMahon, Pettapiece, Rinaldi.

The Chair (Mr. John Fraser): Thank you very much. It will be a recorded vote as well this time.

Mr. Rinaldi, we also are now going to consider the concurrence for William Nicholls, nominated as member of the Ontario Labour Relations Board. Mr. Rinaldi, see that you get this right.

Mr. Lou Rinaldi: I will try.

The Chair (Mr. John Fraser): Okay. Thank you very much.

Mr. Lou Rinaldi: Chair, I move concurrence in the intended appointment of William Nicholls, nominated as member, Ontario Labour Relations Board.

The Chair (Mr. John Fraser): Thank you very much, Mr. Rinaldi. Is there any discussion?

Ayes

Dhillon, Gates, Lalonde, Martins, McMahon, Rinaldi.

Nays

McDonell, Pettapiece.

The Chair (Mr. John Fraser): Thank you very much. Congratulations, Mr. Nicholls.

Mr. William Nicholls: Thank you.

That concludes our meeting. The meeting is adjourned.

The committee adjourned at 0957.

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