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(Hansard)**

**Wednesday 28 October 2015**

**Mercredi 28 octobre 2015**

Speaker  
Honourable Dave Levac

Clerk  
Deborah Deller

Président  
L'honorable Dave Levac

Greffière  
Deborah Deller

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LEGISLATIVE ASSEMBLY  
OF ONTARIO

Wednesday 28 October 2015

ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO

Mercredi 28 octobre 2015

*The House met at 0900.*

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

*Prayers.*

ORDERS OF THE DAY

STRENGTHENING AND IMPROVING  
GOVERNMENT ACT, 2015

LOI DE 2015 SUR LE RENFORCEMENT  
ET L'AMÉLIORATION  
DE LA GESTION PUBLIQUE

Resuming the debate adjourned on October 22, 2015, on the motion for second reading of the following bill:

Bill 85, An Act to strengthen and improve government by amending or repealing various Acts / Projet de loi 85, Loi visant à renforcer et à améliorer la gestion publique en modifiant ou en abrogeant diverses lois.

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

**Mr. Rick Nicholls:** It's my pleasure to rise this morning and add to the ongoing debate of Bill 85, the Strengthening and Improving Government Act, 2015. Bill 85 is a bill that impacts a tremendous amount of legislation. In total, Mr. Speaker, this bill affects 15 pieces of legislation involving eight different ministries.

**Interjection:** Wow.

**Mr. Rick Nicholls:** How do you spell "wow"? That's incredible. It's one of these big, huge omnibus bills. This is certainly one of those infamous omnibus bills that people often worry about, a bill so wide in scope that unwelcome changes can be snuck through with less scrutiny. But in the case of Bill 85, I just don't think there is anything malicious or troublesome to be found. Quite frankly, Mr. Speaker, it's more of a housekeeping bill than anything else.

This bill was previously introduced in the last Parliament as Bill 151, and was known at that time as the Strengthening and Improving Government Act, 2013. Of course, that bill died on the order paper when my colleagues to my left decided they weren't able to support the government's budget motion, which prompted the Premier to ask the Lieutenant Governor to dissolve the House, triggering the 2014 provincial election.

The third party was very upset with the government at that time, and that was before they ever mentioned their plans to sell off Hydro One. The Liberals waited for a few more months to go on record with that one, as it was

never specifically mentioned once during the campaign. Given the outrage that that proposed fire sale has sparked province-wide, they feel that their decision not to mention the plan at all during the election was perhaps the right one. The government has their version of events and Ontarians have another. Time will tell who was right.

But back to the bill, Mr. Speaker.

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

**Mr. Rick Nicholls:** Thank you, Mr. Speaker. You had that look that I should get back on track. We read each other very well.

The bill certainly has a grand title: the Strengthening and Improving Government Act. It sounds very impressive, but it is unfortunately rather modest in scope. Does the act improve government by getting rid of a disastrous two-tier bargaining system that has created chaos for children and parents as teacher negotiations drag on? No, it doesn't. That's a real shame, as this two-tier disaster has been so ineffective that it has had a direct impact on children's experience in the classroom and has resulted in Premier Wynne's Liberals using taxpayer dollars to pay for bargaining costs.

Now, if we believe the government, the Liberals' brand new bargaining system was such a failure that they had to spend millions compensating unions for extra costs. That's the best-case scenario: gross incompetence from the government. I need to go back and just ensure that, you know, the bill is called the Strengthening and Improving Government Act. Hmm. At worst, it's a callous and unforgivable misappropriation of government funds to funnel money to protect their own political interests.

*Interjections.*

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

**Mr. Rick Nicholls:** Thank you, Mr. Speaker.

The day is early, and we've already hit some nerves, it would appear; it would appear. I'm just saying.

**The Speaker (Hon. Dave Levac):** My nerves aren't hit.

**Mr. Rick Nicholls:** No, not yours, Mr. Speaker. Of course, never yours. I speak to you, Mr. Speaker, but others listen when I'm speaking to you, and I think it's that nerve that gets hit.

At worst, it's a callous and unforgivable misappropriation of government funds to funnel money to protect their own political interests. Hmm. Given that the government has yet to provide, or even ask for, a single receipt for millions of dollars in expenses, Ontarians are left with questions—more questions than answers.

Taxpayers deserve to know what education programs this government had to divert money from in order to

make those payments. They need to know why this government feels that vulnerable students no longer need help to graduate. They want to know how the Minister of Education could possibly suggest that the programs did their job and are no longer necessary. Does the Minister of Education expect Ontarians to believe that no student will ever struggle to graduate again? Why are they not deserving of help?

The people of Ontario deserve transparency and honesty from their government. They don't deserve a government that must be caught red-handed before it acknowledges what it has done.

Schedule 3 of this bill refers to a very timely group, the Ontario Medical Association. Schedule 3 of Bill 85 provides for a liability exemption for the Ontario Medical Association, the OMA. The Commitment to the Future of Medicare Act would be amended to align with the 2012 physician services agreement between the province and the OMA. It would provide immunity for representatives of the OMA, including directors and staff, but not the association itself. In English, like most schedules found in this bill, this is simply a housekeeping measure. It seeks to protect the Ontario Medical Association in its capacity as the bargaining unit for Ontario's physicians and adviser to the government on health matters.

Unfortunately, it doesn't mean that the government will actually listen to the Ontario Medical Association. Just last week, Mr. Speaker, we had a number of doctors right here in the Ontario Legislature who took the time out of their incredibly busy schedules to come down to Queen's Park so that they could participate in our democracy. They wanted to have their voices heard because they say—and this is in their opinion, not mine—that the government is not giving them the respect they deserve and, more importantly, that this government's cuts are harming patient care.

They feel betrayed by a government that is hacking away at health care after promising it wouldn't. They are outraged that the government is suggesting that doctors and nurses are simply imagining health care cuts; that they don't know what they're talking about. For not knowing what they're talking about, they were pretty upset when the Minister of Health didn't bother to participate in the debate on the future of health care funding in Ontario. He went down the road to catch the Blue Jays game—the only time when Toronto is really blue. That's where he was. In the minister's defence, he met with the OMA president, Michael Toth, the previous week. But that was little comfort to the hundreds of doctors in attendance that day.

As I finish my remarks, I just want to reiterate my support for Bill 85. This is mostly a bit of tidying legislation meant to clean up messes caused by flawed past legislation, updating older legislation and bringing Ontario's laws in line with federal changes. The bill can also serve as an important lesson for the future for all of us here in the Legislature: If a government can take the helpful advice of opposition parties to strengthen bills before they become law, there will be less need to strengthen

and improve government after the fact. Over time, our respective parties will trade places in this Legislature. It is in our collective best interests, Mr. Speaker, to do the job right the first time, no matter who happens to be the government of the day.

**0910**

I'm very thankful to be able to contribute to the Legislature as a Deputy Speaker. It has shown me that despite our partisan differences, and there are a few on occasion—just saying—we're here for the right reasons: We all want to strengthen our home communities and this province. We all have valid insights to provide and unique perspectives to add to issues. Listening to everyone can sometimes be a difficult task when things get heated. Mr. Speaker, sitting in that chair—and I and others have sat in that chair—we know how heated this Legislature can get on occasion. This Legislature is at its best when members are able to bring their concerns to the table and have them heard.

Mr. Speaker, I'm sure that you're aware of this bit of trivia, but people watching at home, and even some members here in the Legislature, may not know this, so I think it's worth mentioning: The motto "Audi alteram partem"—I took Latin back in school, by the way.

**Mr. Jim McDonell:** That was a long time ago.

**Mr. Rick Nicholls:** It was a long time ago, and my Latin teacher, God bless her, would probably criticize me for my pronunciation of Latin. But that particular motto is one of a series of Latin phrases carved in the chamber of this legislative building. It challenges the members of the provincial Parliament to "Hear the other side."

Mr. Speaker, when the government spends as much time hearing opposing viewpoints as it does criticizing and dismissing them, then will we truly strengthen the government of Ontario.

Mr. Speaker, thank you very much for the opportunity; my pleasure.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Ms. Teresa J. Armstrong:** It's good to hear the member from Chatham-Kent-Essex debating this bill, the Strengthening and Improving Government Act. Speaker, we have been talking about this bill, and the theme is kind of a consensus in the House, and he alluded to it as well. The title of the bill is a great title, but there's not much meat to the title; there is no real content to back that title up.

We also talk about the fact that this really is a housekeeping bill. In one of the areas in the schedule, number 1, they're talking about allowing a broader expansion of e-documents in the Provincial Offences Act to be submitted. So, really, this is housekeeping and can be done, perhaps, through regulation. But it's always good to make sure that we do have bills come to this House so we can have our input as the opposition.

We're saying that we are supporting Bill 85. It's a good thing that we have consensus in the House. Talking about the bill, as far as how much content there is in here, there's not a lot to get into as far as opposing. One of the

areas this bill expands is in schedule 7, the stretcher transportation services; there are some regulations there that are going to be very helpful. When you have people who have private vehicles and are transporting patients from hospital to home, you want to make sure there is a safe mode of transportation between point A and point B. So there is something there with respect to something that's going to help this Strengthening and Improving Government Act.

I look forward to it going to committee and hearing what comes back to the House and what has actually been presented at committee and strengthened this bill that we have today.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments? The Minister of Agriculture.

**Hon. Jeff Leal:** Thanks very much, Mr. Speaker. Hopefully, you take the opportunity to see that Junior A hockey team now in your riding, the Hamilton Bulldogs, who were formerly located in another community in Ontario.

I want to comment on the remarks this morning from my good friend the member from Chatham–Kent–Essex. It's interesting: One of these days we'll get that riding re-named Chatham–Kent–Leamington, which actually really depicts the geographic boundaries of that riding. I know that the former member, a great colleague and friend, Pat Hoy, wanted to make that change when he was here.

One of the most important aspects of this bill is the change to the Highway Traffic Act dealing with these transfer vehicles that are now used throughout the province of Ontario. I remember one time that I was with my good friend the member from Renfrew–Nipissing–Pembroke and we christened a brand new ambulance in the wonderful community of Renfrew, when they took over that vehicle.

What happens is that these vehicles get to the end of their lifetime. The EMS services across the province of Ontario strip all the good equipment out of those vehicles, and then they're sent to auction houses right across the province of Ontario. These vehicles are then picked up through the auction process and used for the process of transporting patients from hospitals home or to other areas. If you've ever seen some of these vehicles on the road, they look pretty rickety. I think this aspect of this bill is really important, in terms of people in Ontario. Finally we'll put standards in place for these vehicles that are frequently used in terms of non-emergency transportation services across the province of Ontario.

We all know that we stand on the shoulders of others, and previous governments in Ontario brought in high standards in terms of commercial vehicle operator's registration, CVOR, and this will be applied to vehicles that are doing this service.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. John Yakabuski:** It's my pleasure to respond to the speech this morning by my colleague from Chatham–Kent–Essex. I really appreciate the fact that not only did he speak about what is in the bill, but he rightfully, as is

our privilege in this Legislature, spoke to some of the things that the bill did not cover. That's very, very important if we're really, truly committed to bringing forth the best possible legislation here as a group, as a collective body.

It is important that we highlight the fact that there are issues that, if the government is sincere—I suspect there is a certain amount of sincerity in everything they do. If they're sincere about good governance, they would have sat down with the opposition, the members on the other side of the House whom they are, by convention, compelled to listen to. As my colleague said, listen to the other side. We could have helped them. We could have helped them in drafting a bill that covered off some of the things that they have neglected in this bill.

I know that I don't have a lot of time, so I can't be overly specific. But he did talk about things, for example, like the issue with regard to paying the other side; not listening to the other side, in reference to the opposition, but paying the other side, in the context of the negotiation of a collective agreement. Most people out there find the concept revolting that you would pay the other side you are negotiating with, because it certainly skews the result in the end. Are you, in fact, trying to influence decisions with regard to those negotiations? I think that's something we all need to look at.

**The Acting Speaker (Mr. Paul Miller):** The member from Hamilton Mountain.

**Miss Monique Taylor:** As always, it's a privilege to be able to stand at my seat here and speak to the member from Chatham–Kent–Essex and the story he told during his speaking time on An Act to strengthen and improve government by amending or repealing various acts.

It's a great title, and we've heard this from this side of the House quite often. I've already had my time to speak on this bill, and a theme of that day also was that there are a lot of housekeeping measures in this bill that could have been taken care of through regulation instead of us being here spending time in the Legislature speaking about housekeeping measures.

**0920**

We could be talking about oversight measures that are so greatly needed here in this province, Speaker. Currently we don't even have an Ombudsman in the position to look over our province and ensure that we're keeping the government's feet to the fire. The great work that the Ombudsman did during his time here in the province—now, quite frankly, we don't have one. I hope that we are working our way towards the process of hiring an Ombudsman and making sure that it's a good deal here for the people of Ontario, and keeping this government's feet to the fire. Because bills like this, quite frankly, are really not going to do anything to improve the lives of Ontarians; other than section 7, because it's about time that we have some oversight for the patient transfer system. That's an important piece in this bill, but other than that, it's a lot of housekeeping.

**The Acting Speaker (Mr. Paul Miller):** The member for Chatham–Kent–Essex has two minutes.

**Mr. Rick Nicholls:** I'd like to thank the member from London–Fanshawe; our Minister of Agriculture, the man from Peterborough; the member from Renfrew–Nipissing–Pembroke; as well as the member from Hamilton Mountain, for their comments this morning.

Mr. Speaker, the Minister of Agriculture talked about how my riding will probably change its name to Chatham–Kent–Leamington from Chatham–Kent–Essex. I'd like to go one step further. Perhaps, in that bill, we need to add some something further. Because I love alliteration, perhaps it should be called Chatham–Kent–Leamington–Lakeshore, because I have, in fact, taken over a chunk of Lakeshore as well. Then it would be called CKLL, just for what it's worth.

**Mr. Todd Smith:** So 104.5 CKLL.

**Mr. Rick Nicholls:** Yes, 104.5.

**Hon. Jeff Leal:** You've got a good sportscaster beside you.

**Mr. Rick Nicholls:** Absolutely.

My colleague had mentioned—and we had talked about this particular bill—that there's an old, old commercial you may remember—I won't tell you which one, but you probably can figure it out—where the little lady says, “Where's the beef?” This is actually what I would call a “vegetarian bill.” I loved it when she said it. As a result of that, there is a lot of stuff in this particular bill that could have been cleaned up.

I believe, Mr. Speaker, that a good idea shouldn't care who owns it. I want to just read again the motto of this Legislature: “Audi alteram partem.” It means, “Hear the other side.” I believe that the government needs to take a little more time to hear the other side, because you know what? Contrary to, perhaps, their beliefs, we do come up with some good ideas as well, and we listen to them as well. We would encourage them to hear the other side and put a little more beef into this particular bill.

Thank you very much, Mr. Speaker. It's a pleasure. While you're chatting, I will continue along unless my time is up.

**The Acting Speaker (Mr. Paul Miller):** Further debate? The member from Algoma–Manitoulin.

**Mr. Michael Mantha:** Thank you, Mr. Speaker, and good morning to you. Bonjour.

Ce matin, on va avoir une petite discussion sur le projet de loi visant à renforcer et à améliorer la gestion publique en modifiant ou en abrogeant diverses lois. Eh! C'en est une bouchée, ça. C'en est une bouchée, mais si tu regardes à toutes les cédules qui sont proposées, de la cédule 1 jusqu'à 7, essentiellement, c'est beaucoup de nettoyage qu'on est en train de faire. Mais ce sont des petits pas par en avant.

Ce matin, je veux porter attention particulièrement sur deux cédules : ce sont les cédules 4 et 7 dont je veux parler dans mon discours.

Again, Mr. Speaker, it's always a pleasure to stand in my place on behalf of the good people of Algoma–Manitoulin. I want to say good morning to Mrs. Trepanier, who is probably watching this morning. Good morning to you and to Rose. You are always some great

inspiration to me because when I do go out and visit you, at the long-term-care facilities, you always fill my ear with my oratorical skills, which I always try to improve on a regular basis. Sometimes I still make errors and you are always eager to help me and correct me, so good morning to you.

Mr. Speaker, the bill addresses some matters that are important and need to be addressed, but mostly, as my colleagues have pointed out throughout the House, this is a thin omnibus bill, consisting of seven schedules on completely unrelated housekeeping issues. It looks to amend issues with the Ministry of the Attorney General, specifically the Courts of Justice Act; there are issues around the Ministry of Labour and allowing for and improving the ability to collect monies owed to employees; and there are also components that address the Ministry of Transportation and the Ministry of Health and Long-Term Care. So there are a few different ministries that are covered throughout this schedule.

The one thing I do want to point out and raise with the government is, in particular to schedule 1—I won't spend much time on it; I hope they do. Schedule 1, the amendment to the Courts of Justice Act: to add proceedings under the Civil Marriage Act (Canada) to the list of proceedings that are within the jurisdiction of Family Court. The schedule is also amended to permit additional family law proceedings to be added to the Family Court's jurisdiction by regulation and would create a senior advisory family judge. This position will instruct the Chief Justice on matters pertinent to family law.

Other changes—this is what I want to raise attention to and hopefully raise a few eyebrows with the government—in schedule 1 bring the province in line with federal law around the Family Homes on Reserves and Matrimonial Interests or Rights Act (Canada). That was a law that was imposed by the then Harper government on to First Nations communities and which raised a lot of controversy within those communities. I would hope that this government has learned from those errors and has reached out to First Nations communities and taken the opportunity to consult with them on how this affects them, and also consult with them respecting the matrimonial interest acts that they have developed in their own communities. I raise this with the government in an attempt to have them reach out to First Nations as well.

I want to go back to, particularly, schedule 7. With respect to the Ministry of Transportation, again, there are minor changes, but important, in terms of allowing or improving the regulations and safety around ambulances, prescribing the inspection and maintenance standards and ensuring that the prescribed equipment is on board. That is going to be very key, because essentially, right now, there are no regulations. There is, particularly in my riding, a pilot project that is in place. I would like to see it continue; however, we need greater transparency and regulation.

While we are talking about the Ministry of Transportation and safety, it is important to remember how much outsourcing and privatization have put the lives of

individual Ontarians at risk. I want to remind everybody of the risk that has been put on Ontarians, particularly with the Auditor General's report that came out about the snow removal process. The Auditor General released a very scathing report that went into details that looked at the snow removal process and how it affected Ontarians by its outsourcing. She compared it to when it was not outsourced and also to when it was outsourced. What is very troubling is that the Auditor General came out with a report that conclusively stated that lives were lost—yes, Mr. Speaker, lives were lost because of this outsourcing. The Ministry of Transportation is essentially responsible for the roads that were not cleared properly because of this outsourcing—roads where snow removal was not conducted in a proper manner or in an efficient manner. It left people driving on roads that were in terrible condition, resulting in accidents, and those accidents resulted in fatalities. These fatalities were avoidable.

It's very troubling that the government decided to go down this route. The evidence all points to the fact that this route is not the right way to go, and we're still going down that route now. I'm hoping the government listened to that report and plans to, for the upcoming winter, change the process, come up with an alternative, and perhaps go back to public snow removal, because the system is broken and is clearly not working.

In particular, in my riding of Algoma-Manitoulin and across many northern and rural ridings, we have seen the shortcomings—actually, rather, the complete failure of snow removal throughout northern Ontario.

**0930**

I spend many of my days travelling to and from Queen's Park, particularly to my riding and within my riding. My riding is very big, as you know, Mr. Speaker. I have seen many individuals have close calls. I've seen others in ditches. I've seen people injured. I've pulled individuals out of those ditches.

There's something that we need to learn through this bill. It's got a very nice title: Strengthening and Improving Government Act. Well, let's do that. Let's have the discussion. Let's challenge ourselves in order to make things that much better.

I want to touch a bit as well on schedule 4, for the Ministry of Labour. The amendment that the government is suggesting does achieve an incremental improvement, but does it truly actually improve the government? I don't think it does. This is what we see in the Ministry of Labour: If you don't have compliance, if you don't have enforcement and if you don't have the resources to put into it—let me rephrase: no compliance, no enforcement, then there is really no point for this legislation. No enforcement, no resources: Why are you putting this piece of legislation forward? Because there's really going to be no substance in order to bring the changes that the Ministry of Labour needs to provide or needs to act upon, in order to bring enforcement. Again, if there are no resources, there's no enforcement.

I want to go back to the services that are going to be affected across my riding through this, and the com-

plaints that I've received from many individuals. Not only in Algoma-Manitoulin but across northern Ontario, we're seeing an attack on ServiceOntario kiosks that are throughout northern Ontario. These kiosks are having their hours reduced. The services that are normally provided at these kiosks are no longer going to be provided.

I have seniors who are going to have to drive longer distances, particularly on Manitoulin Island and Gore Bay, as a matter of fact—which is a lovely community, as you know, Mr. Speaker—who are going to be challenged. Now they're going to have to take their driver's test at a distance farther away from their home. People across the North Shore in my riding of Algoma-Manitoulin are suffering because the hours are being reduced. Certain kiosks are being shut down.

These are things that are not acceptable. When we're talking about a bill which is entitled the Strengthening and Improving Government Act, I'm sorry to say, but I don't see it in Algoma-Manitoulin; and that's just not acceptable. People in my riding deserve to have a lot better, and our government needs to provide them with a lot better service as well.

There are many good things—some that are incremental, some that will make a change—in this bill, but some could be done a lot better. As a representative from northern Ontario, and particularly my great riding of Algoma-Manitoulin, driving safety is paramount in my riding. I want people to take their time. Winter months are coming up. We need to change our driving habits, not just those who are coming from northern Ontario to southern Ontario, but particularly those who are coming from southern Ontario to northern Ontario.

I took the time to try and highlight some issues that I hope the government will heed. I wanted to highlight those issues from a northern perspective.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Hon. James J. Bradley:** A bill of this kind allows, as the member from Algoma-Manitoulin has suggested, an opportunity to take specific instances that affect a particular constituency and deal with those.

I'm particularly interested in the non-ambulance transportation of patients. More and more, we see on our highways, although sometimes within a community, these vehicles that are going from place to place, transporting individuals who require medical transportation, but not necessarily in a place where you require paramedics, who do an excellent job.

It's important, as this bill does, that it prohibits STS providers from providing services if they don't have a valid CVOR certificate. It prescribes requirements and specifications for the identification of STS vehicles, to distinguish them from ambulances. That's very important for people to know. For ambulances, as we know, we have to get out of the way immediately and allow them to go through. These vehicles are non-emergency, but they are important.

I think what this bill does, among many other things—you might say they're minor amendments, but they are

significant nevertheless. What it does is make it a safer trip for people. It sets out rules so that people know what they're getting into when they get into one of these vehicles. In the past, there was a bit of vagueness there that many people said required some action on the part of government. This is just one of those pieces of action. I commend the member for suggesting some of the other improvements he thinks are necessary.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments? The member from Pembroke-Nipissing-Renfrew.

**Mr. John Yakubuski:** Close enough; we've got the geographical area right.

Again, it's a pleasure to comment on the speech this morning by the member from Algoma-Manitoulin. And again, he spoke to some things that the bill doesn't address. That's been our concern from the start. You know, the government should have expected this response.

I did have a chance to speak to this bill a little while back. Unfortunately, I wasn't able to complete my speech because the objections raised by the government were so strong that, at the end of the day, the Speaker shut my debate off. I was shocked, and I hope that it never happens again. I was hurt, because I had a lot of things that I wanted to say.

**The Acting Speaker (Mr. Paul Miller):** Since the member felt that the Speaker shut his debate off, the member had had many warnings—I happened to be the Speaker that day. He had numerous warnings about getting off track, and that's why he was shut down, as he put it. I just want to put that in the record so we don't have a misunderstanding. Thank you. Continue.

**Mr. John Yakubuski:** Thank you, Speaker. I wasn't referring to who was in the chair that day, because I try to forget those things. It's not personal for me. But I wanted to point out that when that happens, the member loses the ability to speak to the things they wanted to speak about that are missing from this bill.

When the government entitles a bill "good governance"—the audacity to actually bring a bill under that name to the House—they should expect that the opposition is going to see that as an opportunity to speak about all of the things that could be done to make government better in the province of Ontario. Maybe they could have addressed the issue of time allocation motions and how they're used in this House to shut down debate. I know I got shut down personally, but the government shuts down debate period.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Ms. Teresa J. Armstrong:** I just want to commend our member from Algoma-Manitoulin for, again, talking about the items that were in the schedule. This bill is very much procedural. He pointed out a couple of those items, one of them being Family Court law. Again, when he described that, as I was listening to him and as I had read before, it's just making things updated; right? There is really no legislation that's going to be affecting someone adversely in there. In that respect, the bill is important to

make sure that things are done that are going to help people and not be opposing someone's rights or access to courts and claims that they have. That was great, as far as that goes with the schedule that's in this bill.

The member also talked at length about snow removal, which is an extremely important northern issue. After the Auditor General's report, there were many glaring recommendations that could have happened in order to prevent accidents, fatal accidents in some cases, when you're talking about road safety.

He talked about ServiceOntario and how the reduction of the service hours of the kiosks are affecting people accessing ServiceOntario. That's extremely important, and we know there is a lot of outsourcing of ServiceOntario services. When you're calling that 1-800 number, you don't even know if the person is in Ontario.

When it comes to good governance and strengthening government, there are certainly things this government is lax in doing, and one of them is paying attention to the accountability and transparency piece. I'm looking forward to the Financial Accountability Officer's report. Today the officer is going to report about Hydro One. That will give us some interesting suggestions about good governance, Speaker.

**0940**

**The Acting Speaker (Mr. Paul Miller):** The Associate Minister of Finance.

**Hon. Mitzie Hunter:** I'm very pleased to rise and to speak to this bill. I believe that all sides of the House have acknowledged that there is some really good work done on this bill and there are many important items that we need to be addressing as government.

One of the items that I note is that this is also about how we work intergovernmentally, and in particular with municipal governments. I would note in this bill that there is an improvement to the City of Toronto Act, making it possible for the work that is currently under way with the city of Toronto's Toronto Transit Commission and the regional municipality of York to reach an agreement about how they will work seamlessly across jurisdictions for the new Toronto-York Spadina subway.

This particular extension of the subway is the first time that a subway will cross municipal boundaries. It's very important that this relationship is a strong relationship, that it's done well, and that this is a successful extension to the subway line.

We know that these investments that we are making in infrastructure across the greater Toronto and Hamilton region—the intent of this is to make sure that we have a seamless regional transportation system. This bill is addressing how these two municipalities will work together, making sure that it's seamless, that it's efficient, that it's effective, and that we provide improvements to our rapid transit system.

Speaker, we have to work together. I know that businesses have talked about the need to get their workers to places, and this will improve the efficiency and the productivity of our region.



I agree with the comments that have been made, that this is a needed improvement, the Strengthening and Improving Government Act.

**The Acting Speaker (Mr. Paul Miller):** The member from Algoma–Manitoulin has two minutes.

**Mr. Michael Mantha:** Mr. Speaker, I cannot help but chuckle. It just goes to reconfirm why people in northern Ontario are so frustrated.

I am sorry. I highly respect the Associate Minister of Finance, but to talk about subways in response to my comments that I made this morning, and housekeeping—you're right. In Brantford, Hamilton, Toronto, Waterloo—it just goes to prove the point why so many northern Ontarians are so frustrated that their comments and their views are not being heard here at Queen's Park.

I invite you. Come and join me in Algoma–Manitoulin, and we'll take the subway from Gore Bay into Blind River, and then we can take the train from Blind River into Wawa. I'm sorry. That's how disconnected the issues are. I can't help but chuckle, Mr. Speaker.

To the Minister without Portfolio: Thank you for your comments, and for actually listening to the comments I made this morning.

The member from Renfrew–Nipissing–Pembroke brought up some of the issues that I had touched on which aren't in this bill. My mother had this expression: *S'il faudrait, tout bien, puis en tout cas*. What that means is, "What could have, what should have and what wasn't to be." There are a lot of those things that could have been included in this bill. I want to thank him, because he triggered that thought about my mom, and I always like thinking about my mom. She's a fantastic woman. If she would be here today, she'd be sitting—thank you, my friend, for triggering that memory.

The member from London–Fanshawe was exactly right and bang on. I did talk about family law, and I did raise a flag that this government should be reaching out and actually sitting down with First Nations communities in regard to how this particular act is going to be affecting their community.

I just want to finish off by saying that northern Ontario just wants to be heard. When we are not, this is what happens. It begs me to chuckle this morning.

**The Acting Speaker (Mr. Paul Miller):** Further debate?

**Mr. Todd Smith:** It's nice to be standing, as my shoes are now dried out, after the walk in to Queen's Park this morning. That was quite a rain out there this morning. I guess that would be the remnants of Patricia that we're experiencing here in the GTA. But we're dry now, and we're ready to move on to what has been dubbed as a rather provocative bill—at least the title of the bill has been a bit provocative, the Strengthening and Improving Government Act—because what it does is, it elicits a response from the opposition parties that you would expect.

It's time to start strengthening and especially improving the government that we've had here in Ontario for the last 12 years, a government that doesn't understand rural

Ontario. And, as the member from Algoma–Manitoulin just illustrated, it is very frustrating and it's almost laughable, what we've been experiencing here. I'm sure there is a subway in Wawa, but they serve sandwiches at that Subway. It's a different kind of subway in Wawa.

This bill, as I believe the way the member from Algoma–Manitoulin described it, is a thin omnibus bill. It affects 15 different acts, eight ministries, and it's thin on detail. There's not a lot of meat on the bone here, is the way that it's been described this morning, and I would have to agree.

I am very fortunate to have an OLIP intern in my office. Her name is Justyna Zegarmistrz—and I apologize to the folks at Hansard for that, I will give you the spelling in a moment. Justyna has gone through the bill, and we'd like to talk about some of the issues that we have with the bill because there are so many areas within each of these ministries where problems that we're seeing in Ontario today aren't being addressed by this particular bill, and they really could have. All you have to do is look at the front page of the papers—all of the papers—in the last week and you will clearly see that we need to improve government in Ontario.

Bill 85, the Strengthening and Improving Government Act, attempts to bring forward updates to amend Ontario legislation so that it remains current and relevant for Ontarians. Despite affecting over 15 pieces of legislation and involving over eight ministries, Bill 85 remains limited in its scope and is a piece of legislative housekeeping, rather than a bill that introduces real, substantive change in Ontario. Considering the eight different ministries affected by the bill, the government missed an opportunity to address the numerous deep-rooted problems present in each ministry.

Considering first the Ministry of the Attorney General, Bill 85 is largely amended only to include new federal legislation. With some additional clarifications on the duties of the senior advisory family justice and the streamlining of internal procedures and financial procedures, the bill could have been more comprehensive in its reach and scope to strengthen and improve government, as is the title of the bill.

There have been issues that have been addressed in the House recently by the member from Lanark–Frontenac–Lennox and Addington in question period with the Attorney General, and by the member from Haliburton–Kawartha Lakes–Brock in relation to the shootings that occurred earlier this fall in Wilno and some of the issues that we're facing with repeat offenders who are let back into the community without signing the proper documentation: These are some of the items that could have been addressed in this piece of legislation.

The amendments affecting the Ministry of Government and Consumer Services are a further example of the surface-level reach of this bill. In this amendment, the bill aims to introduce some minimal cost savings, allowing all out-of-date certificate stock to be used before reprinting new stock. Surely more costs savings could be found than just the recycling of stock in a ministry as

large as this, but that's as deep as the government went in this bill.

Moving on to the Ministry of Health and Long-Term Care: Bill 85 aims to protect the Ontario Medical Association as a representative body for Ontario's physicians and as its adviser to the government on health matters. Providing immunity to the representatives of the Ontario Medical Association and restricting individuals from pursuing civil action against agreements between the OMA and the Ministry of Health and Long-Term Care does very little to affect real change for the thousands of Ontarians who are depending on our health care system. Understandably, this amendment may be necessary to protect representatives from legal action, from negotiations done in good faith, but Ontarians need a stronger and improved health care system, not just amendments that are housekeeping in nature.

Rooting out waste and building a patient-centric model of health care delivery is what Ontarians really need, and I know that's what all of us as MPPs continue to hear about at our constituency offices and through the correspondence from our residents. A bill that's supposed to strengthen and improve government should be more ambitious and farther-reaching than the one that's presented by the government in Bill 85.

**0950**

Continuing down the list, the Ministry of Labour seeks to modernize outdated regulation by bringing Ontario's legislation in line with federal legislation. Updating the classification and labelling of hazardous workplace materials by introducing the Globally Harmonized System of Classification and Labelling of Chemicals is important to keep Ontario workers safe, but, again, this government needs to move beyond just scratching the surface. I'm sure more can be done to keep Ontario's workers safe. In my office, we hear all the time from people who have WSIB issues. There are so many workplace issues that could have been dealt with in this bill that aren't addressed at all.

In regard to the Ministry of Municipal Affairs and Housing, further minor housekeeping changes are being introduced. Amending the City of Toronto Act and the Municipal Act to send receipt notices of bylaws to the Minister of Finance rather than to the Minister of Education does not enact real change for our citizens.

Allowing the city of Toronto to expand cross-border transit to pick up and collect fares in neighbouring jurisdictions is a small step forward, but the root of transit issues in Toronto and across the province remains a serious one, especially for those folks who are requiring medical treatment. It's impossible for some of the residents in my rural riding to get to Kingston to receive the treatment that they need, which is a two-hour drive or a two-and-a-half or three-hour drive, in some cases, depending on where you are in the North Hastings part of my riding.

Repealing obsolete subsections of the Municipal Act and adding minor amendments may be necessary, but this government can and should do better. They can do more

in a bill they entitled the Strengthening and Improving Government Act.

For the Ministry of Training, Colleges and Universities, Bill 85 follows a similar path as with the previous ministries examined. Clarifying the continuity of the ownership of college assets from the board of directors to the college and allowing the college registrar to appoint investigators to investigate the conduct of a member is, once again, a surface-level change that fails to consider the other issues facing this ministry. Our community colleges are facing cutbacks on a regular basis. Loyalist College in my riding, in the Belleville area, had to remove \$4 million from its budget recently. That's a serious cut to the services that are provided at Loyalist College.

In respect to the Ministry of Transportation, Bill 85 makes important first steps towards ensuring the regulation of drug-impaired driving. By following suspensions for drug-impaired driving similar to those for drinking and driving, law enforcement officers will be able to do more to make sure roads are kept safe for Ontarians. Nevertheless, the bill does little to detail how drivers will be tested for drug impairment. Ensuring that drug-impaired drivers are apprehended off the roads is critical, but so is ensuring that testing procedures respect the rights of an individual and are conducted in a manner that can be upheld in the courts.

Furthermore, this bill also makes vague and unclear amendments to regulate medical transportation services. The safety of medical transportation services is undeniably important, but the Liberal government also has an obligation to the citizens of Ontario to outline how they intend to regulate these services. Ontarians certainly haven't forgotten the government's track record and lack of oversight in other scandalous affairs such as Ornge services.

While Bill 85 brings in some necessary updates to Ontario's legislation, this government needs to do more to make real change to each of these ministries so that they always serve and act in the best interests of all Ontarians. As such, we'll be supporting this bill while imploring the government to instigate deep-rooted change, especially in the Ministry of Health and Long-Term Care and the Ministry of Transportation.

In my riding, in the Quinte region, Quinte Health Care is facing major, major cutbacks: \$12 million had to be cut from the budget. They're currently going through the process of removing services from four hospitals in our region: Belleville General, Trenton Memorial, North Hastings and Prince Edward County Memorial Hospital. Nurses are going to be laid off again. We saw 58 of them laid off earlier this year. More are going to be laid off next year. These cutbacks are serious, and they're tied to a funding formula that the government has brought in that relates health care funding to growth in a community. But this government, at the same time, is bringing in legislation in the Legislature prohibiting growth in rural areas because they believe what's right for Toronto, or right for larger urban centres, works in rural Ontario. It clearly doesn't. The people in Prince Edward-Hastings

need their health care services just as much as those here in the GTA.

This bill could have been a whole lot better.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Michael Mantha:** Again, it's a pleasure to rise on the behalf of the good people of Algoma–Manitoulin. I want to commend the member from Prince Edward–Hastings. He's absolutely correct. Let me be clear: There are no subways in Algoma–Manitoulin. However, there is a Subway sandwich shop which you can normally take, not with a token, but maybe with double cheese and double meat, which can get me from Manitoulin Island to Blind River and on to Wawa. I just want to make that clear, my friend.

His comments were very much in line with what I have to say. When you look at these schedules, schedules 1, 2, 3, 4, 5, and 6 are basically in line in regard to doing some housekeeping. This is exactly what this bill is: It's housekeeping. With the title of the Strengthening and Improving Government Act, if we're going to do something, let's do something real. Like you get the double meat over at Subway, let's put some meat into this sandwich so that we can actually accomplish something.

He did talk about the MTO issues that would come in regard to enforcement and the resources. Actually, there are some issues in regard to individuals getting proper notification when it comes to having suspensions or enforcement done. There have always been some individuals that have had issues with receiving mail service and proper notification. Where is the accountability going to be when an individual presents himself at a licensing bureau to make sure that that notification was provided to him so that there is no disruption? In northern Ontario, there is no transit system, so transportation is a big issue.

We are looking at schedule 7 to create a structured transportation services section under the highway act by doing that and by setting those standards. We need to make sure those standards are there, because if there's something that we've learned through privatization—and we don't have to look too far. We just have to look at Ornge and the problems that happened there, and the problems that are potentially going to be happening with the privatization of Hydro One. Learn from the mistakes, and make sure we don't repeat them.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Hon. James J. Bradley:** I enjoyed the comments of the member for Prince Edward–Hastings. One of the great advantages that we have in this Legislature is the opportunity, as individual members, to access the Ontario legislative intern program students who come and provide us with the kinds of services that are very helpful in carrying out our responsibilities as members. So I thank the member for sharing with the people who are watching today the advantage of having a legislative intern, many of whom go on to be very successful in life. Some stay in government; some go into the private sector. It's a very, very good program, and we'll be celebrating it soon.

There's a bit of a dilemma that we encounter with bills of this kind. Having sat in opposition probably longer than I've sat in government, I know the arguments the opposition is going to make. Here's the dilemma: What happens is that the opposition hates omnibus bills. Yet today, the members are telling us that there should have been more things in this particular bill. I understand that. This is a so-called housekeeping bill, which is not designed to have huge changes that are going to have major effects on the province. You don't want to see those in an omnibus bill. I understand that. But a bill of this kind looks at various housekeeping items or technical items that have to be corrected, and does so.

The member mentioned a number of areas that are significant. His observation that all of us are looking forward to a more patient-centric health care system—he mentions that—I think all of us are looking forward to that.

But I do come back to that dilemma of shall there be more in the bill or less in the bill? I'm sure if we'd put more in the bill, there would have been complaints justified by the opposition.

**The Acting Speaker (Mr. Paul Miller):** The member from Lanark–Frontenac–Lennox and Addington.

**Mr. Randy Hillier:** The good government act is not just a housekeeping act. I think if it was a housekeeping act, it would be better described as sweeping things under the carpet. That would be the Liberal way of doing housekeeping. I think it does demonstrate just how lazy this government is, and how cavalier they are when it comes to taking their responsibilities to the people of Ontario.

I just want to draw people's attention to schedule 3 of this good government act. Schedule 3 limits any civil proceedings against any person or any agent or any part of the Ministry of Health and Long-Term Care as a result of—I'll read them:

“any recommendation made to the Minister of Health and Long-Term Care” for,

“(i) insured services under the plan;

“(ii) the amounts payable under the plan in respect of the rendering of insured services ...

“(iii) other amounts payable to physicians by the minister or the crown.”

**1000**

It just so happens that there is a dispute under way with the physicians in Ontario and the Ministry of Health and Long-Term Care. There is much discussion going on about the need for the physicians to sue this government in civil court for the handling of the fee service claw-backs and rate reductions.

Is this really a housekeeping bill or is this what we have seen in the past from this government: changing the law to prevent somebody from taking an action against this government for unlawful or inappropriate actions earlier? We saw it with the Beer Store and the LCBO, where they changed the law to prevent a civil suit from coming forward. I'd like to have the senior member from

the Liberal Party maybe address that in his next comments instead of the OLIP intern program.

**The Acting Speaker (Mr. Paul Miller):** The member from Hamilton Mountain.

**Miss Monique Taylor:** Thank you to the member from Prince Edward–Hastings for his comments on this bill and the things that he talked about that weren't in the bill but are, quite frankly, very important.

One of the things that he mentioned was the WSIB. I picked up on that one because I found it very interesting that he talked about how his office is inundated with WSIB and issues within that, but it's not addressed in this bill.

If my memory serves me, it was the Conservatives who actually gutted the WSIB and created—I know, Yak, it's hard to swallow—the problems that are going on within the WSIB. The Liberals have continued to push those matters even worse with the hiring of a former Conservative to be the chair. Elizabeth Witmer is now the chair—for several years—and since that time the WSIB cases have tripled and quadrupled in my office with people being denied and services being taken away from them after several years of needing WSIB through no fault of their own; being injured on the job and being told that they don't qualify for WSIB funds.

One case in particular is a man who worked in a steel company and was hit with 6,000 pounds—or tonnes, whatever it would be—of steel. Whichever it is, that hurts a body. Yet the man is told that he can work in a theatre accepting tickets from patrons who are coming to the theatre. Those are the kinds of things that I know both of these parties have created in our WSIB system.

**The Acting Speaker (Mr. Paul Miller):** The member from Prince Edward–Hastings has two minutes.

**Mr. Todd Smith:** Thanks to the member for Algoma–Manitoulin, the Minister without Portfolio—the minister of Blue Jays games, as I like to call him, and I congratulate him on a good season for his favourite baseball team—the member for Lanark–Frontenac–Lennox and Addington, who brought up some good points as well, and also the member for Hamilton Mountain in regard to WSIB, which is an ongoing issue that all of us are dealing with in our constituency offices and are trying to solve some of the problems that exist.

Specifically to Bill 85, the Strengthening and Improving Government Act—as I mentioned off the top of my remarks, this is a government bill that elicits a reaction from the official opposition members and the members of the third party because we're in agreement over here that this government hasn't been very well run over the last 12 years in a lot of different areas and there is a lot of improvement that is necessary.

You don't have to look any further than the newspapers across the country and across the province this past week. We have situations where unions are being paid with blank cheques, basically, and there are no receipts involved. I think this is part of what the member from Lanark–Frontenac–Lennox and Addington was

talking about, where things are just being swept under the carpet.

An auditor would never go for what has occurred when we're talking about the negotiations in the teachers' unions and the millions of dollars that have been spent by the government to pay the union members for the costs of negotiations, which have never been put in black and white in a receipt anywhere. There are no receipts. That's why our party has called in the Auditor General to look into those transactions, to find out why those occurred and whether that money was indeed necessary to be spent. These are the types of things that we need to hold the government to account on. These are the kinds of things that should be addressed in government bills.

**The Acting Speaker (Mr. Paul Miller):** Further debate?

**Mr. Taras Natyshak:** It's a pleasure, as always, to rise in this House and to represent my riding and speak on behalf of the good people of Essex county. It's an honour each and every day, and today it is particularly interesting.

I'm compiling a little bit of information here, Speaker. What I'd like to highlight to viewers who are tuning in this morning, mainly my mom and my dad, who always watch—hi, Mom and Dad. There are two for sure that we know. For everyone else that's tuning in who is interested in the ongoings of this place, as everyone should be, I would like to inform them of something that's interesting about this particular bill, Bill 85, the Strengthening and Improving Government Act. It sounds quite compelling and quite grandiose in that it should—

**Miss Monique Taylor:** Gripping.

**Mr. Taras Natyshak:** It's gripping. Everything should get better from here on in because we are strengthening and improving government. Who wouldn't want to do that? Who wouldn't endeavour to do that, Speaker?

However, this bill, I believe, is at eight and a half hours of debate on the clock, as it were, today—which is good. That's good, wholesome debate. We are discussing the issues that are relevant to the piece of legislation. I would like to inform viewers who are tuning in that of the 36 bills that the government has introduced or tabled in this House since the beginning of this session, 14 of them they have time-allocated, so they have cut debate on 14 of them. I'd like to thank my colleague the member from Renfrew–Nipissing–Pembroke, who gave me the list of the bills there: Bill 6, Infrastructure for Jobs and Prosperity Act; Bill 7, Better Business Climate Act; Bill 8, Public Sector and MPP Accountability—they go on. There are 14 in total that they've cut debate on, things that are important, that have real significance to the prosperity of the province and real effect in the lives of the people of the province. They deal with health care. They deal with jobs. They deal with climate change. They deal with MPPs' accountability. They deal with child care.

They chopped off debate, really stymied the process in this place and limited the democratic right of all elected members to discuss and bring forward the concerns of

their communities. However, when it comes to a bill that is, by and large—and it seems to be agreed upon by all members of the House—a housekeeping bill that has minimal impact on the lives of folks, they're ready to drag the puck on this thing.

I'm dumbfounded at the priorities of this government and their ability to actually take into consideration the voices of people from Algoma–Manitoulin, the voices of people from Essex, from Hamilton Mountain on other substantive bills. They don't want to hear about it. They want to jam through and ram through their agenda. However, when it comes to something that's innocuous, like Bill 85—and I urge again viewers who are tuning in to look it up, take a look and see how this bill will affect your lives; it really will not. They have a majority government. You would expect that they would put a lot of thought into the construct of the bills to ensure that there is full consideration given to the needs of the province. This is not one of those bills.

As my colleague from Kitchener–Waterloo stated, when she spoke to the bill, the Clerks at the table must be shaking their heads in reference to who writes these types of bills on behalf of the government, because they are not substantive bills.

Again, being housekeeping, it affects seven schedules, in very minimal ways that are not contentious. As opposition, we don't see any nefarious actions on behalf of the government built into the language of the bill. One of the aspects, however, does have some impact on the transportation services which were referenced as “stretcher transportation services” in Ontario. They are currently unregulated. These are private operators that operate ambulance services and medical transportation services.

**1010**

What this is essentially, as I see it, is the Uber of ambulatory services. This is what they're doing. They are regulating an unregulated aspect of emergent transportation services, and they absolutely should.

It's interesting to note that they first indicated they needed regulation on this service in 2011. So they needed four years in total to realize that they should bring forward legislation—again, an astounding indication of, frankly, laziness, ineptitude, inability to actually prioritize the needs—real, substantial needs. It's incredible.

**Interjection:** It could be done by regulation.

**Mr. Taras Natyshak:** It could be done by regulation. They've wrapped it into this bill. It is the most substantial part, and I'll focus on that because it really has a little bit of meat to the bone here.

New Democrats believe that stretcher transportation must be regulated. There's no question about it. Up to 500,000 people in the province are transferred in this mode. We think they deserve to know that it is a mode of transportation that's regulated, that has oversight, that is safe, that is affordable, that is effective, and that the people who operate it are qualified and in it for the right reasons.

We've seen another mode of private transportation that supports patients and those in medical emergency situations, under the vision of this government and under the watch of the government: Ornge air ambulance. We saw that absolutely fail, again with the guidance of the Liberal government. They took their eye off the ball. They allowed a private operator to bilk the system—milk the system, rather—and it failed.

Thankfully, we had an effective opposition to raise those questions, to hold the government accountable and to make the necessary changes. I want to thank our colleague from Nickel Belt, who really fought a great and valiant fight on that and brought some necessary changes.

The patient stretcher transfer service indicates that they will require that these operators receive a CVOR. Stretcher transportation providers would be regulated now as commercial vehicles. It's interesting that they didn't, prior to that. They would have been just private vehicles, similar to the ones we drive each and every day. So now they will need to be registered as a CVOR and be inspected by Ministry of Transportation inspectors.

**Hon. Tracy MacCharles:** That's a good thing.

**Mr. Taras Natyshak:** It's a good thing. It's the mechanism in which we regulate and inspect commercial vehicles. Let's see if they're going to be given the resources to actually be able to inspect all of these vehicles. Typically, CVOR checks are done through the service centre or MTO checkpoints along major highways, or random stops by Ministry of Transportation officials.

I'd be interested to see how many of these vehicles they are going to be pulling over while they're in transit. You're going to be reluctant to pull over an ambulance, when you see them going from point A to point B, to do a CVOR check.

**Hon. Tracy MacCharles:** They're not emergency vehicles. They're not.

**Mr. Taras Natyshak:** Well, we're going to see. Even though you would assume that there's a patient in there who requires transportation, you're not—I'm not quite certain how that's going to work, if you think about it, in a real, functional way. You may have to look at delivering some more resources to ensure that those checks are actually happening.

There are glaring omissions in the—

*Interjections.*

**The Acting Speaker (Mr. Paul Miller):** The member from Essex. There's an ongoing conversation between the minister and the member from Essex while he's speaking. We talk through the Chair.

**Hon. Tracy MacCharles:** It's mostly been me.

**The Acting Speaker (Mr. Paul Miller):** Mostly to you. Thank you.

**Mr. Taras Natyshak:** I apologize, Speaker. I should go through you, and I will.

Ontarians deserve clear and transparent regulations to protect vulnerable patients who need non-urgent transportation to get to hospital, to get to medical appointments. That's what they expect. That's what they want to see. However, schedule 7 in this bill does not offer that

level of accountability and oversight still, even though acknowledging that they require regulations, it doesn't.

There are no details in the bill about regulations being imposed on stretcher transportation through the providers, the LHINs, in our province. There are no complaint mechanisms for patients or families. There's no mention of accountability mechanisms on how the ministry would deal with contraventions to the stretcher transportation service providers' provisions. And there is no assurance that contracts between hospitals and stretcher transportation services would be made public. We won't know how much this service is costing us as opposed to how we are certainly able to do that when it comes to managing our ambulance services.

Speaker, it's always a pleasure, and I appreciate the indulgence through the Chair.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Paul Miller):** It's 10:15. This House stands recessed until 10:30 this morning.

*The House recessed from 1015 to 1030.*

## INTRODUCTION OF VISITORS

**Mr. Taras Natyshak:** It is my pleasure to welcome to the Legislature today my friend from Amherstburg Suzanne McMurphy, and the grandparents of page Marco Di Laudo, Ron and Marlene Regher, who are here from Leamington. I'd like to welcome them to the House today.

**Ms. Cheri DiNovo:** It's my delight to welcome a group of students all the way from Ukraine studying parliamentary procedure. We have here today Valentyna Sakhno, Kateryna Zhupanova, Ivanna Antonova, Artur Nadiiev and Marian Taranovskyi. They are all here to witness question period.

**Mrs. Cristina Martins:** I'd like to welcome two businesswomen visiting from Beja, Portugal, on the occasion of the 32nd cultural week of Casa do Alentejo in my riding of Davenport, Florbela Nunes and Delfina Marques of Capote's Emotion. Bem-vindos.

**Hon. Jeff Leal:** It is with great honour this morning that I introduce Chef Michael Smith in the east members' gallery today—he is the host of Chef Michael's Kitchen and Chopped Canada—and Ron Lemaire, President of the Canadian Produce Marketing Association.

The chef is a brand ambassador for the Canadian Produce Marketing Association Half Your Plate initiative. They invite all MPPs to a reception this evening in rooms 228 and 230 to discuss the need to encourage the consumption of additional servings of healthy fruits and vegetables.

The CPMA Half Your Plate initiative is a simple and understandable way to promote healthier eating and will be the focus of Chef Smith's cooking demonstration this evening.

**Mr. Jack MacLaren:** It is with great pleasure that I introduce a guest, Debbie Wilson, who is in the gallery. She is from our constituency office in Kanata and she is

here to help us with her Magna Carta evening at Fort York tonight.

**Mrs. Cristina Martins:** I apologize. I failed to introduce these two wonderful guests earlier, Andrea Micieli and David Valentin, also in the members' gallery, as well as Celso Pereira from my constituency office. Welcome.

## ORAL QUESTIONS

### TEACHERS' COLLECTIVE BARGAINING

**Mr. Steve Clark:** My question is to the Premier. The Minister of Education has said she was unconcerned about a potential investigation of the Auditor General into the \$3.74 million given to teachers' unions. Does the Premier share similar feelings?

Mr. Speaker, will the Premier instruct her members of the public accounts committee to support an Auditor General investigation into the unprecedented windfall given to teachers' unions?

**Hon. Kathleen O. Wynne:** The reality is, the Auditor General has the authority to look at what she chooses to look at. Of course, we always will work with her and cooperate with her.

As I know has been said a number of times in this House, we are talking about a process that has been successful. Students have remained in the classroom. The agreements were in line with our net-zero bargaining framework. That successful process required extra resources. I know that the members opposite know that there has been a change, that there has been a transitional process, and it was very important that the resources be in place to make that successful.

Mr. Speaker, the other reality is that this money has not flowed. So, again, I say to the members opposite, I'm not sure how familiar they are with the negotiating process and the collective bargaining process, but the agreements are in place. The money has not flowed yet, and I'll have more to say about that in the supplementary.

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

**Mr. Steve Clark:** Back to the Premier: It's not just the PCs that are calling for this investigation. The Canadian Taxpayers Federation has said, "The Premier appears to be funnelling public money into these unions, who then turn around and spend money campaigning for her government." They added, "This is not the kind of conduct we should expect from a transparent and democratic government, and we think the Auditor General should investigate."

Will the Premier show some integrity, pre-empt our motion and open the books to the Auditor General?

**Hon. Kathleen O. Wynne:** I said in the first answer that of course we'll work with the Auditor General. We will absolutely work with the Auditor General, as we always do. She has the opportunity to look at what she chooses to look at.

The cost of the successful process that has been undergone with the unions was offset by savings that were found through the collective agreements. The funds did not come out of the classroom.

But I said in the first answer that this money has not flowed, and that is the reality. It's part of the agreement, but it hasn't flowed, and teachers' unions will provide an accounting of their costs. Before that money flows, there will be an accounting of how that money was used—or what that money is for and what the costs were. That is, I think, Mr. Speaker, consistent with what we have been saying about the cost of getting these agreements.

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

**Mr. Steve Clark:** I still didn't hear an unequivocal "yes" to pre-empting our motion at public accounts. Even the Toronto Star has called the cheques to the unions "disturbing."

If the government has nothing to hide, if everything is by the book, then why not let the Auditor General review these expenses? Why won't the Premier let the Auditor General review the \$3.74 million handed out to the unions?

*Interjections.*

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

Premier?

**Hon. Kathleen O. Wynne:** If the Auditor General wants to look at this process, she is welcome to do that. We will work with her, we will co-operate with her, as we always do. But, remember, this is a successful process. It's the first time that this particular process has been used. There were resources required to get these successful agreements, and that has happened.

This money has not flowed. The teachers' unions will be required to provide an accounting before the money flows so that it will be clear exactly how the costs were incurred. But the fact is, it's been a successful process. It was a transitional process because it was new, and the money has not flowed. There will be an accounting from the unions about how the costs were incurred.

#### TEACHERS' COLLECTIVE BARGAINING

**Ms. Sylvia Jones:** My question is to the Premier. After almost a week of questions, it's clear the Premier doesn't want to tell us where the \$2.5-million payout came from. The Premier uses buzzwords like "overall compensation package" and the "cost associated with negotiations." Nobody in Ontario buys those answers.

If the Premier won't tell us where the money came from, can you at least tell us what it bought you?

**Hon. Kathleen O. Wynne:** Let's talk about where the money came from. In fact, when we said that the funds, these resources to complete the successful bargaining process, where that money came from—it came from things like early, discounted payout of retirement gratuities; lowering the cost of sick leave; making the delivery of professional development more efficient. So when I said that that money came out of the overall compen-

sation package, those are the kinds of examples, because sick leave, retirement gratuities—that's all part of the compensation package of teachers. That's where the money came from. It didn't come from the classroom; it didn't come from programs for students. We have been clear about that. Those of the kinds of examples of where the money came from to make sure the resources were in place to get—

*Interjections.*

**Mr. John Yakabuski:** Don't point the finger over here. You're in charge.

**The Speaker (Hon. Dave Levac):** No, I am, and I'm standing.

Supplementary?

1040

**Ms. Sylvia Jones:** Every day that we ask these questions, there are new talking points, new spin, new answers. It's not acceptable. The Premier's unwillingness to tell us where the \$2.5-million payout came from leads me to talk about where it could have come from.

What does \$2.5 million from the classroom look like? It looks like 75 fewer educational assistants. It looks like a week of healthy breakfasts for 10,000 classrooms. It looks like over 33,000 grade 9 math textbooks. It looks like almost 115 students on a field trip to the Ontario Science Centre. Was it worth it, Premier?

**Hon. Kathleen O. Wynne:** When you're dealing with a group of people who do not believe in the collective bargaining process and therefore have little experience of how it actually works, and don't understand—

*Interjections.*

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

**Hon. Kathleen O. Wynne:** When a group of teachers who are organized into a federation make a decision that they choose to offset one expense by reducing the payout of retirement gratuities or they take a change in sick leave—

*Interjections.*

**The Speaker (Hon. Dave Levac):** The member from Renfrew, come to order. The member from Bruce-Grey-Owen Sound. The member from Leeds-Grenville.

**Hon. Kathleen O. Wynne:** —then that allows that money to be used for something else. This is not money that was coming from classroom programs. It's not money that was coming from student programs. I'm sorry—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Just to make sure you heard: The member from Leeds-Grenville, second time. The member from Renfrew, second time. I'm not going to accept shouting people down.

Finish.

**Hon. Kathleen O. Wynne:** I'm sorry that the member opposite doesn't understand the process. I'm sorry that they have no interest in actually understanding how collective bargaining—

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

Final supplementary.

**Ms. Sylvia Jones:** What I understand is, \$2.5 million isn't available to students in Ontario.

While this government is giving away much-needed money in our system for pizzas and hotels, the Liberals are turning their backs on students and parents. Assumption Catholic School parents in Ottawa had to raise \$50,000 for a new playground. Parkview Public School parents in Unionville aimed to raise \$25,000 for musical instruments, smart boards, novel sets, and numeracy and literacy centres. Rosebank Road Public School in Pickering purchased 11 fans for classrooms.

Those students and parents shouldn't be fundraising for fans while the Premier shrugs off \$2.5 million and calls it business as usual. Again I ask: What did the \$2.5 million buy?

*Interjections.*

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

Premier.

**Hon. Kathleen O. Wynne:** Here's what I understand: When we came into office, 68% of students in this province were graduating from high school. Mr. Speaker, 84% of students in this province are graduating from high school. That's because we have invested in more teachers. It's because we've put in place student success teachers, who work with kids who were falling through the cracks under the previous government, who didn't have the supports in the school to help them to navigate their way through high school. It's because we created literacy and numeracy specialists. It's because we have put in place the supports that students need. That's what I understand about why our education system in this province is one of the best in the world. Over the last decade, people have come from all over the world to see how we have transformed our education system. We're going to continue to do that.

*Interjections.*

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

#### PRIVATIZATION OF PUBLIC ASSETS

**Mr. Jagmeet Singh:** My question is to the Premier. Yesterday, the Premier met with the Prime Minister designate. The Premier's statement indicates that she talked about infrastructure. This was an opportunity for the Premier to ask the incoming federal government to follow through on their promises for new infrastructure money so that the Premier doesn't have to sell off Hydro One. This is what Ontario families, municipalities and business have been asking the Premier to do. Did the Premier stand up for Ontarians and ask the Prime Minister designate to provide the money promised so that she—

*Interjections.*

**The Speaker (Hon. Dave Levac):** Stop the clock. It goes both ways.

*Interjection.*

**The Speaker (Hon. Dave Levac):** That's not helpful.

*Interjection.*

**The Speaker (Hon. Dave Levac):** Minister of Natural Resources and Forestry, come to order.

Finish, please.

**Mr. Jagmeet Singh:** Did the Premier stand up for the people of Ontario and ask the Prime Minister designate for the money promised, so that we can build the infrastructure we need and not sell off Hydro One?

**Hon. Kathleen O. Wynne:** Did I stand up for the people of Ontario, and do we have a Prime Minister now who is going to work with people across the province and is going to work with Ontario to make the investments we need? Absolutely.

I'm very proud of the work that I have done. I'm very proud of the fact that we now have in Ottawa a government that understands that working with Ontario, working with Premiers across the provinces and having an infrastructure plan across the country is in the best interests of this country. I am so proud of that fact.

But does it mean that as provinces we abdicate our responsibility? No. We have to continue to do the work we know is necessary for our province to be able to work now with the country, so that we can build up the whole country.

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

**Mr. Jagmeet Singh:** The Premier used to say that the sell-off of Hydro One was a difficult decision. But we've clearly seen that there are other ways to get the money we need for infrastructure. After all, the sell-off has never represented more than 3% of the Premier's infrastructure promises. Yesterday, when she met with the Prime Minister designate, she had a chance to get herself off the hook of this difficult decision and, at the same time, stand up for the 80% of Ontarians who do not want to see our Hydro One asset sold off.

Did the Premier make a case to the Prime Minister designate for the sufficient infrastructure funding that we need so we can build the infrastructure we need and so that she does not sell off Hydro One?

**Hon. Kathleen O. Wynne:** I think this is a very revealing question, because what it says about that party is that, given half a chance, they would abdicate the responsibility to make difficult choices. They would not set priorities. They would not take the tough decisions that are actually what leadership means.

You have to take tough decisions. You have to look at the whole scenario and you have to say, "Okay. What is in the best interests of the people of this province?" Every municipality across this province has a need for infrastructure investment. If, as a province, we don't take that seriously and we don't follow through with our plan to invest \$130 billion over the next 10 years, then we have no right to ask the federal government to step in and take us off the hook. We have to step up, we have to take responsibility and work with our partners at the federal level.

*Interjections.*

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

Final supplementary.



**Mr. Jagmeet Singh:** Just because the Premier has made a bad decision doesn't mean that the Premier is stuck with that decision. As the facts and circumstances change, so can her decision. What the Premier is clearly saying is that she was presented with the nearly unprecedented opportunity to stand up for the people of Ontario, and she refused to do so. The Premier has stubbornly dug in her heels and refused to listen to Ontario families, municipalities and businesses that have all made it clear they do not want to see our Hydro One sold off.

She never needed to sell off Hydro One in the first place. But now, with the billions of dollars in federal money promised for infrastructure and transit, the sale is even less necessary. Why did the Premier refuse to stand up for Ontarians, to insist that we have sufficient infrastructure funding to build the infrastructure we so dearly need and not sell off Hydro One?

**Hon. Kathleen O. Wynne:** I think we just see this differently. I think that it is the responsibility of the government in Ontario to take the initiatives that are necessary for the people of Ontario, to make the investments in roads and bridges and transit, in hospitals, in schools and in water systems that we know are so desperately needed across the province.

At the same time, it is critical that we have that federal partner; no matter who the federal government is, we need that participation of the federal government. Thankfully, now we actually have a federal government coming into office that understands that, that is going to work with the provinces and territories across the country to support and to make those investments that are necessary. But they expect, as they have a right to, that provinces will take their responsibilities seriously. That's what we're doing, Mr. Speaker.

1050

#### PRIVATIZATION OF PUBLIC ASSETS

**Mr. Jagmeet Singh:** My question again is to the Premier. Here's another track: Tomorrow, the Financial Accountability Officer will release his report on the impact of the sell-off of Hydro One. This is despite the fact that the Premier has failed to follow through on her promise of openness and transparency, by refusing to provide all the necessary documents requested by his office. However, after months of hiding this wrong-headed sell-off from the public, the people of Ontario will finally get a glimpse into the impacts of this sell-off.

Mr. Speaker, my question to the Premier: Will the Premier commit today, in this House, to follow through on the advice and the recommendations of the FAO and his report?

**Hon. Kathleen O. Wynne:** We have been part of the appointment of the FAO, Mr. Speaker. We appointed him. I have not seen the report. I look forward to seeing the report and seeing what his recommendations are.

But what I know, as the Premier of this province—what we know, as a government—is that we must make investments in infrastructure, and that people's quality of

life depends on our ability to make those investments that will allow them to move more freely, whether it's in the GTHA or whether it's in smaller and more rural communities, so that in northwestern Ontario, bridges won't have to be closed because they're in disrepair. We need to make those investments so that we have infrastructure that can be relied on by individuals and by businesses. That infrastructure investment is critical, and we will move forward with it.

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

**Mr. Jagmeet Singh:** The sell-off of Hydro One represents the biggest privatization of a public asset in the history of this province. We know that every time this Liberal government has tried to sell off or privatize an asset, the result has cost Ontarians dearly. Just look at the gas plants and the ONTC.

The Premier has avoided all public and independent scrutiny of this deal and, instead, has listened solely to her embedded banker. Thanks to New Democrats, however, this time, we have a chance to see the impacts of this sell-off before taxpayers and ratepayers are on the hook.

If the FAO finds that this deal, this sell-off, will hurt families and businesses, will the Premier do the right thing and stop the sell-off of Hydro One?

**Hon. Kathleen O. Wynne:** If the member opposite is accusing us of listening to people who have experience in the financial world, who are experts, who understand how these processes work, then we did that. We absolutely did. We did listen to advisers who have experience and who understand how to do this.

Are we going to continue to invest in infrastructure? Are we going to make sure that there are protections in place in terms of broadening the ownership of Hydro One? We are. We are retaining 40% ownership. The way that electricity rates are set now by the Ontario Energy Board is the way that they will continue to be set. Will there be the ability of the government to retain control over major decisions because of that 40% ownership? Yes, Mr. Speaker.

Those protections are in place. They are in place for good reason, in order to protect the interests of the people of Ontario. But we're going to invest in infrastructure.

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

**Mr. Jagmeet Singh:** The NDP demanded the creation of a Financial Accountability Office so that we could catch spending scandals before they happened. Ontarians watched as the sell-off of ONTC went from a \$265-million savings to an \$820-million loss for the province. They watched as the cost of the gas plants soared from \$40 million to \$1 billion.

This time, we can stop a bad deal before it happens. If the FAO reports that selling off Hydro One is a bad deal for Ontario families and businesses, will the Premier do the right thing and back down from the sale of Hydro One?

**Hon. Kathleen O. Wynne:** As I said to the member, I have not seen the report. I look forward to the Financial Accountability Officer's report.

Will we continue to invest in infrastructure? Absolutely, we will. Each one of those situations is different. It's interesting, coming from the third party, the discussion about the ONTC. It was a very important issue in the north, in North Bay particularly, that we look at the ONTC; in Sudbury, it was a real concern that we look at the ONTC and we make a decision that was in the best interests of transportation in the north. We did that, and we worked very hard with ONTC to come up with a solution that wasn't a complete divestiture of ONTC.

I would have thought that party that proclaims itself as supportive of the north would have understood that that was in the interests of the people in the north.

#### TEACHERS' COLLECTIVE BARGAINING

**Mr. Jack MacLaren:** My question is for the Minister of Education. Minister, you gifted money without purpose or records to teachers' unions. It was \$1 million. It was \$2.5 million. Now it is up to \$4 million, and who knows where it will end?

Your government's track record is that you cannot be faulted for thinking big. Billion-dollar scandals are your specialty; you are good at it. But it was never right, and it isn't right today. In fact, this time, it might not even be legal. Section 70 of the Labour Relations Act states that an employer cannot make a financial contribution to a trade union.

Minister, did you consider the legality of your million-dollar gifts before you gave the money away?

**Hon. Liz Sandals:** We actually are in the process of implementing a new labour relations process. We're going through a huge transformation in our system.

We're very pleased that after a year of hard work, we have reached agreements with three of our labour unions, three of our teacher unions: the Ontario English Catholic teachers; the OSSTF, the secondary teachers in the English public system; and the AEFO, which represents all the francophone teachers in the province. With each of those agreements, we were successful in achieving net-zero agreements. Any arrangements with the unions to offset the costs of that transformation are part—

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

**Mr. Jack MacLaren:** To the Minister of Education: Minister, section 70 of the Labour Relations Act is very clear. Employers cannot give millions of dollars to unions. It is against the law. It is wrong.

Union members may wonder if the money given to union management was meant to influence the union's recommendations to its membership. Parents may wonder why the money was diverted from classrooms to the union. Taxpayers may wonder if their money was wasted yet again. The members on this side of the House wonder not only about the legality of your gifts, but, more importantly, the accountability, integrity and morality of your actions.

Minister, what you did was wrong. Why did you break the law?

*Interjections.*

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

It would also be helpful if members on the side where the question is coming from were not engaging in conversations with either side while the question is being put. I ask the same when the answer is being put.

Minister of Education.

**Hon. Liz Sandals:** The School Boards Collective Bargaining Act is actually very—

*Interjection.*

**The Speaker (Hon. Dave Levac):** Immediately after I ask for it not to happen, the member for Renfrew decided to do it, so he is warned.

**Hon. Liz Sandals:** The School Boards Collective Bargaining Act is actually very clear that I am not the employer of teachers in the province of Ontario, in school boards.

In fact, the reason that we implemented the School Boards Collective Bargaining Act is precisely because the school boards are the employer; the ministry is the funder. There is this dichotomy of the role, that funding and employing are actually two different roles. That's exactly why we have the act. But what I do want to comment on is that there have been no cuts to the classroom.

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#### TEACHERS' COLLECTIVE BARGAINING

**Mrs. Lisa Gretzky:** My question is to the Premier. Premier, today is yet another Wynne Wednesday in our public elementary schools. Congratulations for having a day named after you, Premier. It's also the day ETFO is ramping up their work-to-rule action by pulling out of voluntary extracurriculars.

Education workers want to support students in the classroom as well as volunteer for extracurricular activities outside of their work duties. Ontario families want quality education and extracurricular activities, but this government continues to cause chaos in our schools and is forcing students and families to pay the price for a minister who can't get the job done.

The Minister of Education has lost all credibility and needs to go. Will the Premier admit that the Minister of Education is failing our kids and causing chaos in our schools?

**Hon. Kathleen O. Wynne:** I would remind the member that there are three agreements in place with most of the teachers in the province. I'd just remind the member of that.

I said earlier that the party opposite, the Conservatives, don't understand the collective bargaining process. I understand that. I understand they don't believe in it, so they don't understand it. But I would have thought that the NDP actually would have gotten it, that they actually would understand the collective bargaining process, and, given that there are three agreements in place, they would understand that we have been able to come to agreements.

This Minister of Education is actually very, very skilled at her job. The fact is, this is a difficult process. The only way we're going to get an agreement is at the table. We're at the table. I hope that very soon we will have those agreements.

*Interjections.*

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

Supplementary?

**Mrs. Lisa Gretzky:** Just a note to the Premier: To bargain, you actually have to stay at the table. So there's a lesson for you.

Back to the Premier: Contrary to the minister's claims, which change daily, there have been many cuts to the classroom. This government brags about its plan to cut \$500 million—wait for it—from the classroom. The Premier should be ashamed of her government's record of taking away special education resources from kids that need it the most—\$22.5 million, Speaker.

Our kids are paying the price for this government's neglect of education and the failure of this minister to get the job done to avoid chaos in our schools. Our kids deserve better, and it's time for the minister to go.

Will the Premier immediately cease issuing pink slips to education workers and instead issue a pink slip to her Minister of Education?

**Hon. Kathleen O. Wynne:** Mr. Speaker, I got involved in provincial politics because of education, because I believe so strongly that reinvesting in our education system after eight years—

*Interjections.*

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

**Hon. Kathleen O. Wynne:** We've watched in this province over the last 10 years as test scores have gone up, as kids have gotten more support, as more kids are graduating from high school. As I said, when we came into office, 68% of kids were graduating from high school; now 84% of kids are graduating from high school. That's a huge, huge improvement. That's at the core of this discussion.

We need to continue to improve our education system. That's why it's so important that we engage in a respectful collective bargaining process, that we have that relationship with our education workers and our teachers. We're going to retain that, because we have engaged in a respectful process. The only place to get the deal is at the table, and we're—

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

#### ABORIGINAL ECONOMIC DEVELOPMENT

**Mr. Peter Z. Milczyn:** My question is for the Minister of Aboriginal Affairs. Earlier this week, the minister and the Premier were at the Council for the Advancement of Native Development Officers' 22nd annual national conference. In their remarks there, the Premier and the minister highlighted our government's commitment to

key aboriginal economic development initiatives announced within the past year, including the Aboriginal Economic Development Fund.

I'm very proud to be part of a government committed to working with our aboriginal partners to achieve real progress towards developing improved outcomes for First Nations people and creating prosperous, healthy and strong communities.

Mr. Speaker, could the minister tell us about the initiatives the government is supporting to create new opportunities for aboriginal communities through the AEDF?

**Hon. David Zimmer:** I'd like to thank the member from Etobicoke–Lakeshore for that question. It was indeed a pleasure to join the Premier in delivering remarks to CANDO's 22nd annual national conference earlier this week.

Ontario has been working for many years to strengthen its relationship with aboriginal peoples and communities. Developing initiatives that improve the lives of people and create opportunities for aboriginal communities and businesses will go a long way towards improving our relationship and improving aboriginal outcomes.

The Aboriginal Economic Development Fund is a three-year, \$25-million initiative that is supporting business, employment and training opportunities for aboriginal communities because when aboriginal peoples prosper, all Ontarians prosper.

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

**Mr. Peter Z. Milczyn:** Thank you to the minister for that answer. I'm sure all members of this House are pleased to hear what a wonderful job our government is doing to help create new economic opportunities for aboriginal partners to build a stronger, more prosperous Ontario.

Creating opportunities for aboriginal communities to see meaningful employment and business development across sectors, including natural resource sectors, is the right thing to do. By providing the necessary support, we can work with them to develop long-term strategies to diversify local economies and collaborate on region-wide projects. This will help create stronger and more economically prosperous aboriginal communities.

Could the minister please expand on some of the initiatives the Ontario government is supporting through the AEDF? All members of this House want to hear this.

**Hon. David Zimmer:** Speaker, since the fund was established, Ontario has invested over \$7.8 million in funding 43 separate projects. These include \$1.5 million over three years in grants for economic capacity-building projects, as well as business financing for promising community projects and aboriginal-owned businesses.

The Chapleau Cree First Nation is working with energy experts to develop a regional renewable energy plan. The Thessalon First Nation is receiving an Economic Diversification Grant for the expansion of its biocentre. A regional partnership was granted to Wahgoshig First Nation, who is working with Primero Mining Corp. and Northern College to develop a mining training program

for its members. And Whitefish River First Nation received funding under the fund to conduct the planning and preliminary work required to support a commercial-industrial park development in their First Nation.

This is progress, Speaker. This is good for aboriginal communities and this is good for all Ontarians.

#### ADDICTION SERVICES

**Mr. Jeff Yurek:** My question is to the Minister of Health and Long-Term Care. Minister, a clinic providing opioid support programs, with locations throughout Ontario, has closed an East York location, and it's closing the Lawrence Avenue location in North York at the end of this month.

Dr. Dale Wiebe, an associate program director at the Centre for Addiction and Mental Health, has said, "It is a sad time for addiction medicine in Ontario." He continued, "Closure of addiction medicine clinics will impact patients' ability to access quality medical care, and this loss of access will contribute to the risk of relapse to substance use."

Mr. Speaker, what does the minister say to those individuals fighting their addiction who are now at a higher risk of relapsing, and to the doctors who are forced to close the clinics that helped them?

**Hon. Eric Hoskins:** I appreciate the question. I think the member opposite agrees that, at the end of the day, this is about patient care and the quality of care and the services that are provided to them. We have invested, over many years now, in programs to support those who, unfortunately, have these addictions to make sure that services are in place right across the province in order to support them, including the methadone and other support clinics that the member opposite is referring to.

The change that we made recently was simply to bring the reimbursement for simple urine dipstick tests, a laboratory test that those same clinicians provide in those methadone clinics, in line with new technology and what the remuneration should be and, in fact, what we are currently paying in all of the community labs when that test is performed. Again, it's a urine test; it's actually very cost-effective. We brought the cost that we're reimbursing those physicians in line with what we pay laboratories.

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

1110

**Mr. Jeff Yurek:** Back to the minister: Addiction can have a devastating impact on individuals struggling with substance abuse, as well as their families. It also has severe ramifications on government budgets: The average health and social costs are about \$44,000 per addict per year. It does not make sense that this government has cut the availability of addiction services in this province.

Mr. Speaker, the minister himself is a doctor and has seen this first-hand. Why is the minister allowing the government to slash fees and funding for addiction services and for the individuals who are most in need of this government's help?

**Hon. Eric Hoskins:** Mr. Speaker, that's just not an accurate portrayal of what this government is doing. We continue to invest. We increased the investments that we are putting towards mental health and addictions, and addictions particularly. Our expert group, our leadership council on mental health, has addictions as one of the areas that they're specifically looking at.

What we're talking about here is a simple test. The patient still gets that test. We brought the remuneration to what it should be based on technology advances and innovations. We're paying them, and in fact we're still paying them more than what we pay our community labs for this simple urine dipstick test. I think that's an appropriate thing to do; I think that's an efficient use of resources so we can stay focused on the patient and making sure those patients get better.

#### PRIVATIZATION OF PUBLIC ASSETS

**Ms. Jennifer K. French:** My question is to the Premier. More than 185 municipalities have passed resolutions opposing the sale of Hydro One. In Durham, these municipalities include Whitby, Clarington, Pickering, Uxbridge and my community of Oshawa. These municipalities know that their rates will rise after Hydro One is sold. They know that manufacturing and auto sector jobs will disappear with the rising costs of electricity. Will the Premier listen to municipalities like Whitby and Oshawa and stop her short-sighted sell-off of Ontario's oldest and most important public asset?

**Hon. Kathleen O. Wynne:** I'm going to reinforce what I said earlier about the need for investment in infrastructure, because I know for a fact, Mr. Speaker, that Durham region is very interested in increased investment in infrastructure. Our members from Durham are very clear that they would like to see enhanced investment in infrastructure. So I would say to the member opposite that as she talks about the importance of listening to municipal councils, she might want to take into account what those municipal councils say to us every time we meet about the need to invest in infrastructure, including transit, including expansion of roads and bridges. That is exactly why we have had to make decisions in order to find the resources to make those investments.

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

**Ms. Jennifer K. French:** Of course, I appreciate hearing that the Premier does acknowledge there is an area east of Toronto. That's great.

The Ontario Energy Board clearly cannot say no to Hydro One. This winter, peak-hour electricity rates will be 25% higher than they were last winter.

*Interjections.*

**The Speaker (Hon. Dave Levac):** That's enough.

Finish, please.

**Ms. Jennifer K. French:** Just imagine the rate increases that Hydro One will demand when private profits drive all decisions.

The Minister of Energy says people should just stop using electricity during the day. I suppose he thinks

Whitby and Oshawa's factories should shut down during the day as well.

Will the Premier listen to municipalities like Whitby and Oshawa and stop her sell-off of Hydro One?

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

**Hon. Bob Chiarelli:** The member is really starting with a very, very false premise. Hydro One does not set its own rates now; it will not set its rates later, Mr. Speaker. She talks about private companies automatically being able to raise rates. Private companies like Enbridge and Union Gas are also regulated by the Ontario Energy Board, and their rates have been going down over the last five years. It is totally independent.

In addition, in terms of planning the system, it's still within the responsibility of the IESO; Hydro One will not plan the system. The Ontario Securities Commission will require them to disclose salaries and many other things, such as quarterly audited financial statements, to be made public. There is good governance.

The premise of the question, that rates will go up because its ownership is being broadened, is totally, absolutely incorrect.

#### WETLANDS CONSERVATION

**Mr. John Fraser:** My question is for the Minister of Natural Resources and Forestry. Ontario's biodiversity and natural heritage contribute substantial ecological and economic benefits to our province. Part of that biodiversity is Ontario's wetlands. Wetlands provide essential benefits, including helping to protect our water supply from excess nutrients, like phosphorus, that can lead to algal blooms.

Ontario has approximately 24% of Canada's wetlands and 6% of the world's wetlands. Our wetlands are clearly an incredible and essential resource.

Mr. Speaker, through you to the minister, could he please explain to the House what our government is doing to protect Ontario's wetlands?

**Hon. Bill Mauro:** I want to thank the member from Ottawa South for the question.

Our government knows that wetlands provide many important economic, ecological and social benefits, including reduction of flood damage; improvements to water quality; habitat for plants and animals; and fishing and hunting opportunities.

Our ministry, under the leadership of my parliamentary assistant, the member from Burlington, is currently conducting a review of the province's wetland policy framework.

A wetlands discussion paper has been posted on the ER, and I encourage interested Ontarians to comment on the paper before October 30, 2015. The feedback we receive on this paper will help identify challenges and opportunities associated with wetland conservation in Ontario. This input will be used to inform development of a strategic plan for Ontario wetlands that will guide the government's actions over the next decade.

Speaker, we're committed to protecting and preserving the province's wetland resources and will continue to work closely with our partners on this file.

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

**Mr. John Fraser:** I'd like to thank the minister for his answer and for his leadership on this important issue.

I'm pleased to hear that our government is taking a proactive role in protecting Ontario's wetlands, and I encourage all Ontarians to provide comments on the wetlands discussion paper.

By the 1980s, almost 70% of original wetlands south and east of the Canadian Shield were converted for other uses—in some parts of southern Ontario, 90%. Many Ontarians are concerned that these losses may still be occurring.

Mr. Speaker, through you to the minister, could he please explain what our government is already doing to restore Ontario's wetlands?

**Hon. Bill Mauro:** I again want to thank the member from Ottawa South.

We support on-the-ground wetland conservation through strategic partnerships, agreements, competitive granting programs and tax incentive programs.

In fact, Speaker, the Ontario government is an active participant in the Eastern Habitat Joint Venture, a collaborative government-NGO partnership which seeks to implement wetland conservation activities.

Last year, we provided Ducks Unlimited, for example, with \$275,000 to support wetland conservation projects under the EHJV program. My ministry's Land Stewardship and Habitat Restoration Program provides up to \$20,000 in financial support to organizations for similar projects. The Conservation Land Tax Incentive Program provides for 100% property tax exemption on eligible conservation lands in return for landowner agreement not to undertake activities that will have a negative impact on the natural value of those lands.

We value wetlands in the province of Ontario and continue to work with our partners to ensure their sustainability in the longer term.

#### CORRECTIONAL FACILITIES

**Mr. Rick Nicholls:** My question is to the Minister of Community Safety and Correctional Services. Shoddy conditions at the Liberals' new, gold-standard Toronto South Detention Centre are again putting the lives of corrections officers at risk. Three weeks ago, a female officer was trapped inside an elevator with multiple inmates for over an hour. Thankfully, the officer was not harmed, but you can only imagine the fear that she felt.

Shockingly, elevator issues were reported to your ministry months ago, Minister. Mr. Speaker, can the minister explain why he has allowed the prison's countless problems to go unaddressed, and why no action was taken on the known elevator issues?

**Hon. Yasir Naqvi:** I thank the member for the question. I can assure the member opposite that the officials in my ministry work extremely hard to make sure that

conditions, as they relate to facilities in a detention centre, are always met.

Obviously, I can't speak to the specific circumstance he's raising in question period, but I'll be more than happy to get him a response to that.

I want to reassert very clearly that we take the health and safety of our correctional staff and of inmates very seriously. There is constant work that is ongoing in making sure that our detention centres are safe and secure and, of course, in ensuring that there are proper conditions in them.

1120

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

**Mr. Rick Nicholls:** Again, back to the minister: Two weeks ago, the Toronto South Detention Centre security monitor control system went down. This system controls the entire facility, from emergency alarms, cameras, doors, locks, to intercoms, and much, much more. This system is the heart of this facility and must be functional.

Facility security problems are a public safety threat. Officers are tired of reporting the same problems over and over again. They're scared to come to work in a deadly work environment. They have lost faith in the ministry and are worried that any negative reports or audits will be buried.

Will the minister take immediate action at Toronto South Detention Centre and conduct an in-depth safety review for public release?

**Hon. Yasir Naqvi:** As I mentioned earlier, our staff works extremely hard and very closely with our correctional officers and staff who are front-line in our detention system to ensure that they are operating in a proper function for the safety and security of our communities and that of our staff. This is paramount.

Speaker, as we transform our correctional system, Toronto South Detention Centre plays a very important role in that transformation. TSDC, as it is known, houses innovative programming and health care services and improves our ability to rehabilitate offenders. It has both a medical unit and a dedicated infirmary which has been open since June of this year. They currently have five mental health nurses and operate a forensic early intervention service which is the first of its kind in Canada, in partnership with CAMH.

These are the kind of transformation activities that we are working on to ensure that we provide effective rehabilitation and re-education for offenders.

#### RAIL SAFETY

**M<sup>me</sup> France Gélinas:** Ma question est pour la première ministre. Premier, it has been eight very long months since the train derailment, the explosion, the huge fire and the oil spill into the Makami River just outside of Gogama in my riding. Most recently, the local person in charge of testing water quality has resigned his job. The people of Gogama and Mattagami have been deeply affected by the CN derailment. They're having a tough time, with very little help.

Premier, why is the provincial government missing in action? Why are the local people left to take on CN by themselves?

**Hon. Kathleen O. Wynne:** Minister of the Environment and Climate Change.

**Hon. Glen R. Murray:** Mr. Speaker, they aren't left by themselves. We've had multiple ministries, including our staff, on site. Water quality testing has been occurring and reported through the Sudbury public health unit. There has been very, very careful supervision and testing, and I can go through that privately with the member in some detail.

We have a great concern in Gogama. There have been two rail derailments. Had they been further down the track in the city, we would have had something similar to a Lac-Mégantic. This government and my colleague the Minister of Transportation have been very assertive with the federal government. We are now looking, with the new federal government, to this issue being taken more seriously. We monitor it very carefully to see that CN fulfills its responsibilities. If they don't, there are stronger measures we can take.

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

**M<sup>me</sup> France Gélinas:** If this train had derailed, sending 10 flaming cars full of bitumen in the Humber River here in the GTA, there would be flocks of lawyers and of investigators to help locals fight CN tooth and nail, but, as dead fish and oil continue to appear on the water surface, this government has left the people of Gogama to fight on their own.

Premier, how come after eight months, no one is willing to say something as simple as, "It is safe to eat the fish"? What is the government doing to ensure that the health of the people, to ensure that the quality of the water—will the Premier's newfound relationship with Ottawa help to make sure that hazardous cargo doesn't go through our communities so that no one has to live through what the people of Gogama and Mattagami are living through right now?

**Hon. Glen R. Murray:** Minister of Transportation.

**Hon. Steven Del Duca:** I thank the member for her question. As the Minister of the Environment and Climate Change said in the opening answer, and as I believe everyone in this chamber would know, that dealing with rail safety, while of paramount concern to the province of Ontario, is primarily actually exclusively a federal responsibility.

Over the last 16 months, I've had the occasion to raise the issue of rail safety directly with the now, soon-to-be former, Minister of Transport for the federal government. We have corresponded back and forth several times about this issue, as have other Ministers of Transportation across the country, because at the provincial level, we recognize the importance of making sure that the federal government takes their responsibility in this regard safely—that advocacy will not end on behalf of the people of Ontario. We'll continue to talk to the feds about making sure that we get this right.

## SEXUAL VIOLENCE AND HARASSMENT

**Ms. Daiene Vernile:** My question is for the minister responsible for women's issues. The Sexual Violence and Harassment Action Plan was launched in March of this year. Since then, the permanent Roundtable on Violence Against Women was established, along with the Select Committee on Sexual Violence and Harassment.

The government has launched a very successful media campaign, seen by millions of people around the world on TV and the Internet. Yesterday, the minister introduced the Sexual Violence and Harassment Action Plan Act.

Speaker, could the minister please tell this House what Ontario has been doing since March to help stop sexual violence and harassment and to support survivors?

**Hon. Tracy MacCharles:** I want to thank the member from Kitchener Centre for this very important question. I want to thank her for her work as the Chair of the Select Committee on Sexual Violence and Harassment, and I want to thank all members of this Legislature who are on that committee doing excellent work.

The government knows that all Ontarians deserve to feel safe from sexual violence and harassment in their communities, in their workplaces and in their schools. That's why, since we launched the action plan in March, we have increased and stabilized funding to community-based sexual assault centres, to hospitals and to sexual assault and domestic violence treatment centres.

As the member mentioned, we have also been running a very successful province-wide public education campaign using the hashtag #WhoWillYouHelp, and over 83.5 million people have viewed this ad.

I was pleased to rise in the House yesterday to introduce the legislation. I'll talk more in the supplementary.

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

**Ms. Daiene Vernile:** I, too, would like to thank the minister for her answer and for her dedication and commitment to this very important file, so thank you to you.

This kind of continued investment across ministries to various supports for survivors is welcomed right across the province. In fact, yesterday at our announcement, we were joined by numerous stakeholders across Ontario, including Sara Casselman, who is with Sexual Assault Support Centre of Waterloo Region in my riding of Kitchener Centre. I know that she was very pleased to hear yesterday's announcement.

We look forward to hearing more details on the legislation tabled yesterday by the minister. Specifically, this bill will amend six government acts. Could the minister please describe the changes that this legislation is going to bring in, if passed?

**Hon. Tracy MacCharles:** As the member mentioned, the legislation would amend a number of government acts, such as removing the limitation period for all civil sexual assault actions.

It will also eliminate the two-year limitation period for victims of sexual or domestic violence to apply for compensation from the Criminal Injuries Compensation Board.

It will also require employers to investigate and address complaints of workplace harassment, including sexual harassment, and require employers to take all reasonable steps to protect workers from workplace harassment.

It will also require colleges, universities and private career colleges to have a stand-alone sexual violence policy that is developed with student input and reviewed every three years.

Additionally, the legislation will require the notice period to end tenancy for survivors of domestic and sexual violence—that notice period will be shortened.

All of the amendments are very important and I hope that I can count on the entire House to support this very important legislation.

## HEALTH CARE FUNDING

**Mr. Michael Harris:** My question is to the Premier. Today in the media studio, two brave young women, Erika Crawford and Brooklyn Mills, who join us today, and their families shared heart-wrenching stories of living with the impacts of a rare disease, Ehlers-Danlos syndrome, with no support from their provincial government.

**1130**

EDS is a genetic defect in the connective tissue, causing severe dislocations, chronic pain, blackouts, nausea, migraines, lost vision, tremors and symptoms that add up to a very poor quality of life.

When families like the Crawfords seek treatment for this life-debilitating disease, they are turned away time and again by this government.

Will the Premier commit today to providing the support and treatment for those suffering from EDS?

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

**Hon. Eric Hoskins:** First, on behalf of the entire Legislature, certainly our hearts go out to the family and the individuals that are suffering from this rare and debilitating disease, EDS.

I also want to commend and acknowledge the individuals and the families that are here today for taking the time to come here to Queen's Park, but most of all to show the courage that they have in expressing their concerns about the treatment that they require, as well as the advocacy that they're providing.

My ministry has assured me that there are a number of Ontario specialists who can help patients who do suffer with EDS. We have highly qualified neurosurgeons with the necessary expertise, but we've heard, and I've heard, from these families that they've had difficulty in accessing those specialists and those services. We rely on the expertise of our clinicians and our experts, but we also want to make sure that the process is as simple as

possible for families and for individuals, and that we're making the situation easier, not more difficult.

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

**Mr. Michael Harris:** Back to the minister: Speaker, this afternoon I will be reading in petitions that the Crawfords have initiated, with over 8,000 signatures, calling for the minister's action. To this day, the story has been the same: Your ministry refuses to pay for out-of-country treatments that they say could be performed here in the province; and Ontario lacks the specialists required to perform necessary surgery in our province. Families are forced to remortgage, to max out credit cards and lines of credit just to receive the out-of-country treatment that allows sufferers to stay alive. The pain of living with EDS is enough without having to face the uncaring government that has all but abandoned them.

Will the minister respond to the pleas of the over 8,000 who have signed the petition and either provide the names of Ontario neurosurgeons who have experience with EDS patients to perform the necessary surgeries or provide the funding for out-of-country treatment?

**Hon. Eric Hoskins:** Mr. Speaker, I want to acknowledge the work that you've done as MPP for Brant, as well, in supporting these families and advocating with my ministry on this important issue.

Largely inspired by the advocacy and the stories that I've heard from these individuals and their families, I brought together a working group on how best to move forward, specifically on EDS, in this province and to ensure that families do receive the support they need. The group first met in late September and will be providing us with their recommendations in a short while. The panel includes Critical Care Services Ontario, representatives from SickKids and other leading institutions to look at ways to improve services for individuals suffering from EDS. My ministry is also creating a special committee, in addition to the current process, to review applications for all out-of-country funding for pediatric surgery.

I hope the families can stay after question period. I would appreciate the opportunity to meet with them.

#### SEXUAL VIOLENCE AND HARASSMENT

**Ms. Peggy Sattler:** My question is to the Premier. On March 24, shortly after the sexual violence action plan was tabled, your government received a letter signed by 21 experts and organizations from Building a Bigger Wave, a provincial network of hundreds of agencies working to end men's violence against women. The letter urged a halt to the changes to the Partner Assault Response Program, because they are putting women and children at risk. Seven months later, the Attorney General continues to completely dismiss the concerns raised.

What will it take for the Premier to listen to PAR providers and violence against women agencies about the crisis her government has created in the PAR Program?

**Hon. Kathleen O. Wynne:** Attorney General.

**Hon. Madeleine Meilleur:** The Partner Assault Response Program is a component of the province's coordinated response to domestic violence. This program is very important.

I'll answer the question right away. There was no cut to the Partner Assault Response Program. After numerous consultations, working with the partners, working with those who work in the sector, we have reviewed the number of weeks that people would be engaged in the program. We were informed that there was a long waiting list. The advice was to reduce the number of weeks that an individual will be in the program. That's what we have done, and we have eliminated the waiting list altogether.

#### CORRECTION OF RECORD

**The Speaker (Hon. Dave Levac):** The member from Dufferin–Caledon, on a point of order.

**Ms. Sylvia Jones:** In my question to the Premier earlier today, I mentioned 115 students on a field trip; I should have said 115,000 students.

**The Speaker (Hon. Dave Levac):** All members have the right to correct their record, and that was a point of order.

#### VISITORS

**The Speaker (Hon. Dave Levac):** Point of order from the member from Renfrew–Nipissing–Pembroke.

**Mr. John Yakubuski:** On behalf of my colleague from Perth–Wellington, I would like to welcome the family of today's page captain Faith Knechtel: her mother, JoAnne Knechtel; and her father, Clare Knechtel. They were in the public gallery this morning.

**The Speaker (Hon. Dave Levac):** The member from Scarborough–Agincourt, on a point of order.

**Ms. Soo Wong:** This week is reading week across the province of Ontario. I have a great visitor from my riding of Scarborough–Agincourt: a student from Seneca College. D'Juan Callaghan is a first-year business administration and management student visiting Queen's Park today. Welcome.

**The Speaker (Hon. Dave Levac):** The member from Welland, on a point of order.

**Ms. Cindy Forster:** In the gallery earlier was Clarke Eaton, the new legislative liaison from OPSEU. I just wanted to welcome him here today.

#### PRIVATE MEMBERS' PUBLIC BUSINESS

**The Speaker (Hon. Dave Levac):** I beg to inform the House that, pursuant to standing order 98(c), a change has been made in the order of precedence on the ballot list draw of October 5, 2015, for private members' public business such that Mr. Smith assumes ballot item number 7 and Mr. Miller, Hamilton East–Stoney Creek, assumes ballot item number 30.



## DECORUM IN CHAMBER

**The Speaker (Hon. Dave Levac):** I would like to make a footnote and thank the members; we are getting there when it comes to third-person discussion and questions to the Chair and answers to the Chair. I reinforce with all of you that it is the best way to do it. It's tested through time and it works quite well. I appreciate all the members for making that effort.

## DEFERRED VOTES

POLICE RECORD CHECKS  
REFORM ACT, 2015LOI DE 2015 SUR LA RÉFORME  
DES VÉRIFICATIONS  
DE DOSSIERS DE POLICE

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

Bill 113, An Act respecting police record checks /  
Projet de loi 113, Loi concernant les vérifications de  
dossiers de police.

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

*The division bells rang from 1137 to 1142.*

**The Speaker (Hon. Dave Levac):** On September 29, 2015, Mr. Naqvi moved second reading of Bill 113, An Act respecting police record checks.

All those in favour, please rise one at a time and be recognized by the Clerk.

## Ayes

Albanese, Laura	Hardeman, Ernie	Moridi, Reza
Anderson, Granville	Harris, Michael	Munro, Julia
Armstrong, Teresa J.	Hatfield, Percy	Murray, Glen R.
Bailey, Robert	Hillier, Randy	Naidoo-Harris, Indira
Baker, Yvan	Hoggarth, Ann	Naqvi, Yasir
Balkissoon, Bas	Hoskins, Eric	Natyshak, Taras
Ballard, Chris	Hunter, Mitzie	Nicholls, Rick
Barrett, Toby	Jaczek, Helena	Oraziotti, David
Berardinetti, Lorenzo	Jones, Sylvia	Potts, Arthur
Bisson, Gilles	Kiwala, Sophie	Rinaldi, Lou
Bradley, James J.	Kwinter, Monte	Sandals, Liz
Campbell, Sarah	Lalonde, Marie-France	Sattler, Peggy
Chan, Michael	Leal, Jeff	Scott, Laurie
Chiarelli, Bob	MacCharles, Tracy	Sergio, Mario
Clark, Steve	MacLaren, Jack	Singh, Jagmeet
Colle, Mike	MacLeod, Lisa	Smith, Todd
Coteau, Michael	Malhi, Harinder	Sousa, Charles
Crack, Grant	Mangat, Amrit	Takhar, Harinder S.
Damerla, Dipika	Mantha, Michael	Taylor, Monique
Del Duca, Steven	Martins, Cristina	Thibeault, Glenn
Dhillon, Vic	Martow, Gila	Thompson, Lisa M.
Dickson, Joe	Matthews, Deborah	Vanthof, John
DiNovo, Cheri	Mauro, Bill	Vernile, Daiene
Dong, Han	McDonnell, Jim	Walker, Bill
Flynn, Kevin Daniel	McGarry, Kathryn	Wilson, Jim
Forster, Cindy	McMahon, Eleanor	Wong, Soo
Fraser, John	McMeekin, Ted	Wynne, Kathleen O.
French, Jennifer K.	McNaughton, Monte	Yakabuski, John
Gates, Wayne	Meilleur, Madeleine	Yurek, Jeff
Gélinas, France	Milczyn, Peter Z.	Zimmer, David
Gravelle, Michael	Miller, Norm	
Gretzky, Lisa	Miller, Paul	

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

**The Deputy Clerk (Mr. Todd Decker):** The ayes are 94; the nays are 0.

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

*Second reading agreed to.*

**The Speaker (Hon. Dave Levac):** Pursuant to the order of the House dated October 27, 2015, the bill is ordered referred to the Standing Committee on Justice Policy.

PROTECTION OF PUBLIC  
PARTICIPATION ACT, 2015LOI DE 2015 SUR LA PROTECTION  
DU DROIT À LA PARTICIPATION  
AUX AFFAIRES PUBLIQUES

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

Bill 52, An Act to amend the Courts of Justice Act, the Libel and Slander Act and the Statutory Powers Procedure Act in order to protect expression on matters of public interest /  
Projet de loi 52, Loi modifiant la Loi sur les tribunaux judiciaires, la Loi sur la diffamation et la Loi sur l'exercice des compétences légales afin de protéger l'expression sur les affaires d'intérêt public.

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

*The division bells rang from 1146 to 1147.*

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

## Ayes

Albanese, Laura	Gravelle, Michael	Milczyn, Peter Z.
Anderson, Granville	Gretzky, Lisa	Miller, Paul
Armstrong, Teresa J.	Hardeman, Ernie	Moridi, Reza
Bailey, Robert	Hatfield, Percy	Munro, Julia
Baker, Yvan	Hillier, Randy	Murray, Glen R.
Balkissoon, Bas	Hoggarth, Ann	Naidoo-Harris, Indira
Ballard, Chris	Hoskins, Eric	Naqvi, Yasir
Berardinetti, Lorenzo	Hunter, Mitzie	Natyshak, Taras
Bisson, Gilles	Jaczek, Helena	Nicholls, Rick
Bradley, James J.	Jones, Sylvia	Oraziotti, David
Campbell, Sarah	Kiwala, Sophie	Potts, Arthur
Chan, Michael	Kwinter, Monte	Rinaldi, Lou
Chiarelli, Bob	Lalonde, Marie-France	Sandals, Liz
Clark, Steve	Leal, Jeff	Sattler, Peggy
Colle, Mike	MacCharles, Tracy	Sergio, Mario
Coteau, Michael	MacLeod, Lisa	Singh, Jagmeet
Crack, Grant	Malhi, Harinder	Sousa, Charles
Damerla, Dipika	Mangat, Amrit	Takhar, Harinder S.
Del Duca, Steven	Mantha, Michael	Taylor, Monique
Dhillon, Vic	Martins, Cristina	Thibeault, Glenn
Dickson, Joe	Martow, Gila	Thompson, Lisa M.
DiNovo, Cheri	Matthews, Deborah	Vanthof, John
Dong, Han	Mauro, Bill	Vernile, Daiene
Flynn, Kevin Daniel	McDonnell, Jim	Walker, Bill
Forster, Cindy	McGarry, Kathryn	Wilson, Jim
Fraser, John	McMahon, Eleanor	Wong, Soo
French, Jennifer K.	McMeekin, Ted	Wynne, Kathleen O.
Gates, Wayne	McNaughton, Monte	Yurek, Jeff
Gélinas, France	Meilleur, Madeleine	Zimmer, David

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

**Nays**

Barrett, Toby  
Harris, Michael  
MacLaren, Jack

Miller, Norm  
Scott, Laurie  
Smith, Todd

Yakubuski, John

**The Deputy Clerk (Mr. Todd Decker):** The ayes are 87; the nays are 7.

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

Be it resolved that the bill do now pass and be entitled as in the motion.

*Third reading agreed to.*

**The Speaker (Hon. Dave Levac):** There are no further deferred votes. This House stands recessed until 3 p.m.

*The House recessed from 1150 to 1500.*

**INTRODUCTION OF VISITORS**

**Mr. Peter Z. Milczyn:** It's my pleasure to introduce to the Legislature Mr. Noah Kravitz, who's with the Furniture Bank organization in my riding.

**Mr. John Fraser:** It's a pleasure to introduce a very good friend of mine, Scott Thurlow, from my riding of Ottawa South—

**Hon. Yasir Naqvi:** Boo!

**Mr. John Fraser:** Oh, my gosh, heckles already.

He's joined by Ron Lemaire, the president of the Canadian Produce Marketing Association. Also from the Canadian Produce Marketing Association is Sue Lewis, who organized today's Half Your Plate celebration, and Latitia Scarr and Jane Proctor. Welcome.

**MEMBERS' STATEMENTS****HEALTHY EATING**

**Mr. Toby Barrett:** The Canadian Produce Marketing Association's Half Your Plate initiative is designed to encourage consumers to increase the portion of their meals devoted to fruit and vegetables.

Speaker, to be frank, North America—and certainly Ontario—has an obesity problem. The health costs associated with overweight people are significant, and promoting healthy choices is vital to improving health.

The success of initiatives like Half Your Plate obviously supports Eat Local, and certainly supports my riding's production of fruit and vegetables. I also think of the community-supported agriculture program run by Carron Farms in the Holland Marsh. They call it the Harvest Share Food Box and, in partnership with 50 other farms, distribute something like 500 boxes each week. I was up there this summer. Last season, Carron Farms shipped food boxes with 23,000 pounds of potatoes, 18,000 pounds of carrots, 15,000 pounds of corn, 12,000 pounds of apples and 10,000 pounds of onions.

Rural economic growth, reducing health care costs and promoting a healthier Ontario is something that all

parties should agree on. Let's see Ontario buy into this and make it part of the Healthy Living Platform.

**SCHOOL CLOSURES**

**Mr. Taras Natyshak:** Speaker, as you know, members' statements are usually used to highlight some of the good things that are happening in our ridings. Unfortunately, again I have to use my time to highlight what this Liberal government is doing when it comes to education, in particular in small, rural communities.

Harrow has been now put on notice that their community will lose the high school in Harrow, the only one, the one that is, really, a foundation, a pillar of that community. It's being torn apart after 10 years of being put on the chopping block and being under threat through the ministry and through the board of education.

Speaker, I'll read to you: According to the guidelines in the Education Act, "The Ministry of Education recommends that, wherever possible, schools should only be subject to a pupil accommodation review once in a five-year period, unless there are circumstances determined by the school board, such as a significant change in enrolment."

There has not been a significant change in enrolment at Harrow high. However, that high school has gone through a PARG three times in the last 10 years, not once every five years. Three times in the last 10 years they've been under threat. Imagine a community like that: How do you promote growth when you come into the town and your high school is always under threat of being cut? You ripped the heart out of that community.

I want to put the government on notice that the members of that community in Essex county are going to fight this decision tooth and nail. They will have me as an advocate. But unless they change the funding formula, which you campaigned on, the one that the Tories brought in, you're going to continue to rip the heart out of communities. Do something right: Change that funding formula and maintain those small, rural and remote schools.

**LA FRANCOPHONIE**

**M<sup>me</sup> Marie-France Lalonde:** L'année 2015 fut forte en émotion. This year, 2015, has been rich in emotion as we celebrated 400 years of French presence in Ontario.

La communauté franco-ontarienne s'est réunie à Toronto du 22 au 24 octobre dernier lors de l'assemblée générale annuelle de l'Assemblée de la francophonie de l'Ontario, l'AFO. Ce fut l'occasion de célébrer notre fierté franco-ontarienne et de nous rappeler nos racines, notre histoire et notre patrimoine. Ce fut aussi l'occasion de reconnaître certains individus pour leur apport et leur contribution à la francophonie ontarienne et canadienne.

Notre gouvernement, via l'Office des affaires francophones, a remis le Prix de la francophonie 2015 à Mariette Carrier-Fraser, à Mary Cruden et à la jeune slameuse Rym Ben Berrah. Congratulations.

Merci au président de l'AFO, Denis Vaillancourt, et à son directeur général, Peter Hominuk, pour le succès de leur AGA. Ils ont, quant à eux, récompensé : Jacques de Courville Nicol d'Ottawa, Prix du Pilier de la Francophonie; l'organisme Élargir l'espace, Prix de l'Horizon franco-ontarien; et Claudette Gleeson, Prix Florent-Lalonde.

Félicitations à tous les récipiendaires et un merci à ma collègue la ministre Meilleur pour son dévouement à la francophonie ontarienne.

#### HISPANIC HERITAGE MONTH

**Ms. Lisa MacLeod:** I rise in the assembly today to celebrate national Hispanic day in Canada and in Spain. With all-party support, October is now proudly recognized in our province as Hispanic Heritage Month. My colleague from Huron-Bruce, Lisa Thompson, recently spoke in the House about the significance of that proclamation and about celebrating the rich history of one of Canada's and Ontario's most dynamic and fastest-growing communities.

On October 12, Hispanic people across the world celebrated Spanish National Day, or Fiesta Nacional de España. It focuses on the themes of peace and unity. This date was chosen to commemorate Christopher Columbus's first steps in the Americas on October 12, 1492.

I recently had the distinct pleasure of meeting the consul general of Spain, the Honourable Pablo Ruiz-Jarabo, and personally gave him best wishes on behalf of the Ontario Progressive Conservative caucus.

There are now over 400,000 first-, second- and third-generation Canadians of Hispanic origin right here in the wonderful and diverse province of Ontario. On behalf of the official opposition, I hope people from across this assembly and Ontario have a wonderful Spanish National Day and a joyous month of celebrations and festivities during our inaugural Hispanic Heritage Month, and I congratulate them on their initiatives tomorrow.

#### SHINE THE LIGHT ON WOMAN ABUSE CAMPAIGN

**Ms. Peggy Sattler:** Last week I was pleased to attend the London kickoff of the 2015 Shine the Light on Woman Abuse campaign, which takes place every November during Woman Abuse Prevention Month. The campaign was launched in 2010 by the London Abused Women's Centre and has since spread to 20 communities across Ontario, including Toronto, Ottawa and Niagara Falls.

The goals of the campaign are to raise awareness of woman abuse by turning the city purple for the month of November. This year, more than 30 London locations will be illuminated with purple lights, including once again my own constituency office.

The campaign lets women who experience violence know that their community stands in solidarity with them and that any shame and/or blame they may feel does not

belong to them but to their abuser. It also raises the profile of the community agencies that provide abused women with hope and help as they assert their right to live their lives free from the threat of violence.

This year's launch was attended by all 12 members of the London Lightning basketball team, along with team owner Vito Frijia. I want to commend the London Lightning for their strong leadership in engaging men in ending men's violence against women with their announcement that all seven teams in the NBLC will be working to shine the light on woman abuse in their respective communities.

Friday, November 13 is Wear Purple Day in London, but wherever you live in Ontario, I encourage all MPPs to wear purple in November by purchasing purple scarves from your local women's shelter.

1510

#### HALF YOUR PLATE INITIATIVE

**Mr. John Fraser:** I rise in this House today to highlight the Canadian Produce Marketing Association's Half Your Plate initiative. The goal of this program is to encourage Ontarians and other Canadians of all ages to consume more fruits and vegetables.

While it may make sense that people should be eating more fruits and vegetables, the reality is that it's not happening at all. In order to help improve the health of Canadians, the Canadian Produce Marketing Association has launched a consumer-driven initiative entitled Half Your Plate. Half Your Plate will empower Ontarians of all socio-economic groups to improve their food choices.

The goal of the program is to increase the number of servings of healthy foods Ontarians eat and to demonstrate how easy it can be to choose healthy options for meals and snacks. The Half Your Plate initiative has the support of the Canadian Cancer Society, the Heart and Stroke Foundation and many others. By promoting this initiative, we will be combating obesity and chronic diseases.

Eating more fruits and vegetables is good for our economy. It will have a positive economic impact for Ontario producers and will help reduce health care costs.

I ask that you join me in supporting Half Your Plate by coming to committee rooms 228 and 230 this evening. Chef Michael Smith will be demonstrating an easy-to-make recipe using fresh Ontario produce. It's as easy as it sounds: Fill half your plate with fruits and vegetables when you eat.

#### OXI DAY

**Mr. Robert Bailey:** On October 28, members of the Greek community from around the world commemorate Oxi Day, the rejection by the Greek nation of the ultimatum made by Italian dictator Benito Mussolini on October 28, 1940, and the Hellenic counterattack against the invading Italian forces at the mountains of Pindus

during the Greco-Italian war and the Greek resistance during the Axis occupation.

On Sunday, October 25, I had the pleasure, along with the leader of our official opposition, Patrick Brown, to participate in the Greek parade along the Danforth to commemorate this historic event. The Greek community here in Ontario has thrived for over 100 years, contributing immensely to the political, economic and social fabric of our province. Be it in business or academia, Greeks have always played an important role in shaping our province's civic and cultural institutions.

Mr. Speaker, using my best Greek possible: Zito É Ellas; Zito to Ontario; Zito to Canada.

#### CIVIL ENGINEERS

**Ms. Sophie Kiwala:** On May 12, 2006, 16-year-old Skye Whitman was driving towards her Sudbury home after a late shift at work. It had been raining and suddenly the ground dropped away from beneath her tires. The car plunged and spun, bouncing violently. Skye Whitman was killed. The reason for this tragic accident was the collapse of a steel culvert under the road.

It is precisely because of stories like Skye's that I am so honoured to rise today to recognize Ontario's engineers, and in particular the work done by the geoenvironmental laboratory at Queen's. With funding from the federal and provincial governments, Queen's civil engineering professors Ian Moore and Richard Brachman will be able to conduct controlled experiments with a new and much larger deep burial simulator.

The simulator will be able to test how the deep burial of pipes affects their longevity. They will learn how to design and build durable, long-lasting and cost-effective buried pipe systems. It will be the only such system in the world. The research conducted at the lab will help engineers design water and sewer systems that will last longer, leak less and cause less disruption to the ground when repaired, with huge savings for municipalities and the provinces.

Mr. Speaker, engineers' work largely takes place behind the scenes and away from the public eye. Our everyday safety depends on their skill, diligence and hard work. Last week, I had the distinct honour of being acknowledged by Professional Engineers Ontario, but it is I who would like to acknowledge them for the work they do to make our communities safer every single day.

#### FURNITURE BANK

**Mr. Peter Z. Milczyn:** It's a pleasure to rise in the Legislature today to tell members about the Furniture Bank, an organization that's one of my neighbours in Etobicoke-Lakeshore, an organization that's tackling issues around poverty and homelessness. As I mentioned earlier, manager Noah Kravitz is here with us today.

Furniture Bank is a registered charity and social enterprise that's been helping people in the greater Toronto area since 1998. This organization takes in gently used

furniture and other household goods to help those who are transitioning to a new home or are newcomers to this country or who perhaps have had a tragic fire or other loss where they lost their possessions.

This organization also provides employment and training opportunities for young people and, recently, aboriginal youth, working together with the Miziwe Biik Aboriginal Employment and Training organization. They've received support from our own Ontario Trillium Fund to help them manage these initiatives that not only give some assistance but also help people find vocations for the future.

This coming week, they'll be auctioning off a refurbished sideboard and rustic chair to raise funds to help Syrian refugees who are coming to Ontario and Canada.

I offer to all members of the Legislature, please think of the Furniture Bank when you might have some gently used items you would like to discard.

#### INTRODUCTION OF BILLS

##### ENERGY STATUTE LAW AMENDMENT ACT, 2015

##### LOI DE 2015 MODIFIANT DES LOIS SUR L'ÉNERGIE

Mr. Chiarelli moved first reading of the following bill:

Bill 135, An Act to amend several statutes and revoke several regulations in relation to energy conservation and long-term energy planning / *Projet de loi 135, Loi modifiant plusieurs lois et abrogeant plusieurs règlements en ce qui concerne la conservation de l'énergie et la planification énergétique à long terme.*

**The Deputy Speaker (Mr. Bas Balkissoon):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Deputy Speaker (Mr. Bas Balkissoon):** A brief statement?

**Hon. Bob Chiarelli:** This legislation would enshrine a long-term energy planning progress that is transparent, efficient and able to respond to changing policy and system needs. It would support increased competition and enhance ratepayer value by empowering the Independent Electricity System Operator to competitively procure transmission projects. It would introduce two new initiatives to help Ontario families, businesses, and the province as a whole to conserve energy and water to manage costs.

#### MOTIONS

##### PRIVATE MEMBERS' PUBLIC BUSINESS

**Hon. Madeleine Meilleur:** Mr. Speaker, I believe that we have unanimous consent to put forward a motion

without notice regarding private members' public business.

**The Deputy Speaker (Mr. Bas Balkissoon):** The Attorney General seeks unanimous consent. Agreed? Agreed.

**Hon. Madeleine Meilleur:** I move that notwithstanding standing order 98(g), notice for ballot item 8 be waived.

**The Deputy Speaker (Mr. Bas Balkissoon):** The Attorney General has moved that notwithstanding order 98(g), notice for ballot item 8 be waived. Agreed? Agreed.

*Motion agreed to.*

### COMMITTEE SITTINGS

**Hon. Madeleine Meilleur:** Mr. Speaker, I believe you'll find that we have unanimous consent to put forward a motion without notice regarding the Standing Committee on Social Policy.

**The Deputy Speaker (Mr. Bas Balkissoon):** The minister has requested unanimous consent. Agreed? Agreed.

**Hon. Madeleine Meilleur:** I move that the Standing Committee on Social Policy be authorized to meet in Toronto from 2 p.m. to 6 p.m. on Monday, November 9, 2015, for the purpose of holding public hearings on Bill 73, An Act to amend the Development Charges Act, 1997 and the Planning Act.

1520

**The Deputy Speaker (Mr. Bas Balkissoon):** The Attorney General has moved that the Standing Committee on Social Policy be authorized to meet in Toronto from 2 p.m. to 6 p.m. on Monday, November 9, 2015, for the purpose of holding public hearings on Bill 73, An Act to amend the Development Charges Act, 1997 and the Planning Act. Shall the motion carry? Carried.

*Motion agreed to.*

### STATEMENTS BY THE MINISTRY AND RESPONSES

#### SEXUAL VIOLENCE AND HARASSMENT

#### LA VIOLENCE ET LE HARCÈLEMENT SEXUELS

**Hon. Tracy MacCharles:** I'm very pleased to rise to discuss the sexual violence and harassment action plan and the introduction of legislation on this topic just yesterday.

Speaker, our action plan was developed with the guidance and advice of advocates, legislators and survivors. The expertise of these many voices has helped us to "get it right" and to continue the hard work to challenge ourselves, along with challenging the myths and

behaviours that are at the core of sexual violence and harassment.

Our action plan has also made progress in providing more support for survivors, improving safety in workplaces and on campuses, and emphasizing that we all have a role to play to end violence and harassment.

Je tiens à remercier les personnes, les organismes et les diverses collectivités de l'Ontario qui sont à nos côtés alors que nous faisons des progrès à l'égard des engagements que comprend notre plan d'action.

Many voices came forward and provided advice during the development of the action plan, and they've continued to share their wisdom regarding the proposed Sexual Violence and Harassment Action Plan Act. Speaker, if this is passed, the act will amend six existing acts so we can better support survivors of sexual violence and harassment in a number of ways. The proposed changes are as follows:

First, amend the Limitations Act to remove the limitation period for any civil sexual assault claim. This would encourage more survivors to come forward, regardless of how much time has passed since they became survivors of sexual assault.

Second, amend the Compensation for Victims of Crime Act to end the two-year time limit in which survivors can apply to the Criminal Injuries Compensation Board for compensation as a result of sexual or domestic violence.

Third, all Ontarians deserve, of course, to work in a safe and healthy environment. Our proposed legislation would amend the Occupational Health and Safety Act to include a definition of workplace sexual harassment. It would require employers to address all complaints of workplace harassment, including sexual harassment, and take reasonable steps to ensure that employees experience zero harassment—sexual or otherwise—within the workplace.

Fourth, amend the Residential Tenancies Act to shorten the length of notice a tenant must give a landlord in situations where the tenant is fleeing domestic or sexual violence. Women, children, families: They all need to be able to leave an unsafe home as quickly as possible.

Fifth, amend the Ministry of Training, Colleges and Universities Act and the Private Career Colleges Act so that every publicly funded college, university and private career college in Ontario must develop a stand-alone policy on sexual violence, and review that policy—with student input—every three years. Campus life is meant to be a special and enjoyed occasion, not to be spent in fear or apprehension.

Speaker, the campaign that began last March to end sexual violence and harassment has reached this legislative chamber, which gives voice to all Ontarians. Ensemble, utilisons nos pouvoirs législatifs pour protéger la population de l'Ontario contre la violence et le harcèlement à caractère sexuel.

En adoptant ces propositions, nous affirmerons clairement que la violence et le harcèlement à caractère sexuel ne sont pas tolérés.

In Ontario, sexual violence and harassment are never okay, Speaker.

**The Deputy Speaker (Mr. Bas Balkissoon):** Responses?

**Ms. Laurie Scott:** I would like to thank the minister responsible for women's issues for introducing Bill 132, the Sexual Violence and Harassment Action Plan Act. It's certainly a positive step forward. Many aspects of the bill that we are going to look at when the bill goes through the House and through committee, I think, we had been discussing at the select committee. For those members who have been on the select committee, from all three parties, I want to thank them for their work. And I'd like to thank all the presenters who came forward, the voices of the women who came forward who have been in situations where they have felt they have not been able to come forward and get the appropriate help.

The select committee's final report is coming before the Legislature in the next few weeks, and I hope the government would also look at the recommendations that we'll be presenting and address those concerns in a meaningful way—the many recommendations that can be made to cover the multifaceted nature of domestic violence and sexual harassment.

Bill 132, the one that the minister has spoken about today, proposes to remove the limitation period for civil suits based on sexual assault or sexual misconduct. That means that victims can submit claims when they feel comfortable. Before that, there was a two-year limitation. That's something we certainly heard through the committee, also.

The bill also aims to remove the limitation period for survivors of sexual and domestic violence to file compensation applications to the Criminal Injuries Compensation Board, the statutory limitations, so survivors are afforded the time to come forward when they feel safe.

The bill is also going to amend the Occupational Health and Safety Act. The definition of workplace sexual harassment will now be included, when it wasn't before, and certainly enhancing programs at the workplace and in consultation with businesses as we go forward, as we heard from the briefing, to make it safer for employees, but also for employers, to assist some of those small businesses with developing that policy.

The Residential Tenancies Act is going to be amended, allowing survivors to shorten the notice period to 28 days to terminate a lease where a tenant is fleeing from unsafe living conditions. That has been brought up in the Legislature before, by the present Minister of Community Safety and Correctional Services.

The bill, I think, makes great strides in tackling the misogynistic attitudes and rape culture on our post-secondary campuses. Ontario students from elementary school to university often joke about rape and sexual assault and violence. The fact that our society has these very twisted perceptions about women at times, where they are treated as sexual objects, is certainly not acceptable, and that's part of the fact that we need to change the

culture. Every single Ontarian should be recognized for their intrinsic abilities alone.

Public colleges and universities will be mandated to have a stand-alone sexual violence policy, with student input, reviewed every three years. I want to commend the colleges especially for having that program up and going so quickly after we started the select committee and started the process of what we can do to address this. The universities, of course, are closely behind. So we have a lot of willing partners to make more positive steps forward.

I know that in light of the Ottawa Valley murders we were hoping to look at the bill and the fact of what had taken place there, especially this situation of probation officers and especially in rural Ontario and underserved areas—how we can look at that.

**The Partner Assault Response Program:** We certainly heard a great deal in the select committee about the positiveness of that program and about the wait-list that exists for that program and how we could maybe come to some agreement, as we've been trying to do in the Legislature, on that topic.

Also, the recommendations of the Domestic Violence Death Review Committee's report from 2012, with some key recommendations, going forward, on when an offender, such as what happened in the Ottawa Valley, does not sign the probation orders, and the progressive enforcement that needs to follow up for that.

And, of course, human trafficking legislation: I'd like to see if we could consider adding a piece about having a coordinated approach to combatting human trafficking in the province of Ontario, similar to what I introduced in May, so that we can give more resources to police officers and survivors so that we can decrease the amount of human trafficking that exists in our province.

**1530**

Unfortunately, my time is up, but we know we're going to have a long time to speak to the bill that's been brought forward. I thank the minister again for bringing it forward.

**Ms. Peggy Sattler:** I'm pleased to rise as NDP critic for women's issues to respond to the minister's statement on the Sexual Violence and Harassment Action Plan Act.

First of all, I want to commend the minister for delivering on several of the commitments that were made in It's Never Okay, which was launched in March 2015. I'm glad to see that the decades of advocacy by front-line agencies and survivors have produced some concrete legislative changes that will improve the safety of Ontario workplaces and post-secondary campuses.

I also recognize the symbolic importance of launching this legislation on the eve of Woman Abuse Prevention Month in November. We know from around the world that violence against women is one of the key barriers to women's equality. A comprehensive legal framework to prevent sexual violence, to support survivors and help them heal, and to hold perpetrators accountable is a vital component in ending sexual violence and harassment in Ontario.

While this legislation represents a significant step forward, I am concerned as a member of the Select Committee on Sexual Violence and Harassment that other necessary amendments may never see the light of day. Additional recommendations for legislative changes are currently being finalized by the select committee for presentation to the Legislature on December 10, which is too late to be included in Bill 132. Those recommendations arise from the hundreds of hours of testimony that was provided to the committee; from the pain and the tears of survivors, who talked about the failures of our system; and from agency staff, who understand first-hand where the gaps are and how they need to be addressed.

Given the many different priorities that compete for time on the legislative agenda, I hope that Bill 132 does not close the file on the government's legislative response to sexual violence and harassment, because there are many other issues that need to be addressed. With research showing that fewer than 10% of sexual assault cases are ever reported to the police, it's vital to understand why people don't report. The select committee heard that many survivors do not go to the police because they fear they will be stigmatized and traumatized.

At the same time, we heard about the need for supportive alternatives to the legal system for survivors and the urgency of holding abusers accountable through other mechanisms than just the court system. We know from the brutal murders of three women in Renfrew county last month that there are limits to the ability of the justice system to truly protect women from sexual violence.

We can't lock up offenders forever. We must seek out ways to change the abusive behaviours that led to violence in the first place. That's why evidence-based programs like Partner Assault Response, or PAR, must be a critical part of a sexual violence action plan. It is why the government's own expert panel recommended in 2009 that PAR be strengthened, that it be delivered on a differentiated basis rather than one size fits all, and that it be made available to abusers who voluntarily want to change, instead of only those who are court-ordered.

It is troubling that at the same time progress is undeniably being made on sexual violence, warnings from experts and community leaders about recent changes to the Partner Assault Response Program are being ignored. Instead of acting on the 2009 recommendations about PAR, the Attorney General has watered the program down by reducing the number of sessions available to offenders. This is potentially creating a revolving door for abusers and putting women and children at risk.

The select committee heard over and over that domestic violence and sexual violence are intertwined. Whether a woman is sexually assaulted by her intimate partner or date raped by an acquaintance, she experiences the same life-shattering consequences: devastation, fear, guilt and shame. Yet siloed funding for sexual violence and domestic violence continues to limit the ability of community-based programs to provide integrated and coordinated responses. This must change.

In closing, New Democrats certainly welcome this legislation. However, we will continue to push for broader, systemic change to create a coordinated, integrated and survivor-led approach to the prevention of sexual violence and harassment, an approach that provides sustainable funding for front-line agencies to truly support survivors and engage in effective community-led public education and awareness campaigns, and that ensures trauma-informed responses at every point, from police, health care, education, social services and the justice system.

## PETITIONS

### SERVICES FOR THE DEVELOPMENTALLY DISABLED

**Ms. Sylvia Jones:** My petition is to the Legislative Assembly of Ontario.

"Whereas the final report of the select committee, entitled *Inclusion and Opportunity: A New Path for Developmental Services in Ontario*, was tabled in the Legislature on July 22, 2014;

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

"That government of Ontario immediately review the final report and commence the implementation of the recommendations of the select committee, as contained in the final report."

Since I sat on that select committee, I support this petition. I'm pleased to affix my name to it and give it to page Shirley to take to the table.

### DENTAL CARE

**Ms. Cindy Forster:** "To the Legislative Assembly of Ontario:

"Whereas thousands of Ontarians live with pain and infection because they cannot afford dental care;

"Whereas the promised \$45-million dental fund under the Poverty Reduction Strategy excluded impoverished adults;

"Whereas the program was designed with rigid criteria so that most of the people in need do not qualify; and

"Whereas desperately needed dental care money went unspent and was diverted to other areas even though people are still suffering without access to dental care;

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

"To do all in its power to stop the dental fund from being diverted to support other programs; and

"To fully utilize the commissioned funding to provide dental care to those in need."

I support this petition, affix my signature and send it with page Julia.

## PROTECTION DE L'ENVIRONNEMENT

**M. Shafiq Qaadri:** J'ai ici une pétition adressée à l'Assemblée législative de l'Ontario.

« Attendu que les microbilles sont de petites particules de plastique de moins de 1 mm de diamètre, qui passent à travers nos systèmes de filtration de l'eau et sont présentes dans nos rivières et dans les Grands Lacs;

« Attendu que la présence de ces microbilles dans les Grands Lacs augmente et qu'elles contribuent à la pollution par le plastique de nos lacs et rivières d'eau douce;

« Attendu que la recherche scientifique et les données recueillies jusqu'à présent révèlent que les microbilles qui sont présentes dans notre système d'alimentation en eau stockent des toxines, que des organismes confondent ces microbilles avec des aliments et que ces microbilles peuvent se retrouver dans notre chaîne alimentaire;

« Nous, les soussignés, présentons une pétition à l'Assemblée législative aux fins suivantes :

« Mandater le gouvernement de l'Ontario pour qu'il interdise la création et l'ajout de microbilles aux produits cosmétiques et à tous les autres produits de santé et de beauté connexes et demander au ministère de l'Environnement d'effectuer une étude annuelle des Grands Lacs pour analyser les eaux et déceler la présence de microbilles. »

Je vous l'envoie avec page Marco.

## EHLERS-DANLOS SYNDROME

**Mr. Michael Harris:** I have a petition to provide out-of-country treatments for Ehlers-Danlos patients, brought forward by Erika Crawford and her family—over 8,000 signatures here.

“To the Legislative Assembly of Ontario:

“Whereas the Canada Health Act requires provinces to fund medically necessary treatment for Canadians; and

“Whereas a growing number of people in Ontario suffering from Ehlers-Danlos syndrome (EDS) have to seek out-of-country treatment at their own expense because doctors in Ontario don't have the knowledge or skills to understand EDS symptoms and perform the required delicate and complicated surgeries; and

“Whereas those EDS victims who can't afford the expensive treatment outside of Ontario are forced to suffer a deteriorating existence and risk irreversible tissue and nerve damage; and

“Whereas EDS victims suffer severe dislocations, chronic pain, blackouts, nausea, migraines, lost vision, tremors, bowel and bladder issues, heart problems, mobility issues, digestive disorders, severe fatigue and many others resulting in little or very poor quality of life; and

“Whereas despite Ontario Ministry of Health claims that there are doctors in Ontario who can perform surgeries on EDS patients, when surgery is recommended the Ontario referring physicians fail to identify any

Ontario neurosurgeon willing or able to see and treat the patient;

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

“Require the Minister of Health to provide the names of Ontario neurosurgeons who can—and will—perform surgeries on EDS patients with equivalent or identical skills to the EDS neurosurgeon specialists in the United States, and meet the Canada Health Act's requirement to afford equal access to medical treatment for patients, regardless of their ability to pay for out-of-country services.”

I wholeheartedly agree with this petition. I'm going to sign it, as well as those other 8,000 people, and give it to Jade to take to the table.

1540

## GASOLINE PRICES

**M<sup>me</sup> France Gélinas:** I have this petition that has thousands of names coming from the northeast, including Muriel Kirwan, from Wahnapiatae in my riding. It reads as follows:

“Whereas northern Ontario motorists continue to be subject to wild fluctuations in the price of gasoline; and

“Whereas the province could eliminate opportunistic price gouging and deliver fair, stable and predictable fuel prices; and

“Whereas five provinces and many US states already have some sort of gas price regulation; and

“Whereas jurisdictions with gas price regulation have seen an end to wild price fluctuations, a shrinking of price discrepancies between urban and rural communities and lower annualized gas prices;

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

“Mandate the Ontario Energy Board to monitor the price of gasoline across Ontario in order to reduce price volatility and unfair regional price differences while encouraging competition.”

I fully support this petition, will affix my name to it and ask Irene to bring it to the Clerk.

## WATER FLUORIDATION

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

“Fluoridate All Ontario Drinking Water.

“Whereas fluoride is a mineral that exists naturally in virtually all water supplies, even the ocean; and

“Whereas scientific studies conducted during the past 70 years have consistently shown that the fluoridation of community water supplies is a safe and effective means of preventing dental decay, and is a public health measure endorsed by more than 90 national and international health organizations; and

“Whereas dental decay is the second most-frequent condition suffered by children, and is one of the leading causes of absences from school; and



“Whereas Health Canada has determined that the optimal concentration of fluoride in municipal drinking water for dental health is 0.7 mg/L, providing optimal dental health benefits, and well below the maximum acceptable concentrations; and

“Whereas the decision to add fluoride to municipal drinking water is a patchwork of individual choices across Ontario, with municipal councils often vulnerable to the influence of misinformation, and studies of questionable or no scientific merit;

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

“That the ministries of the government of Ontario adopt the number one recommendation made by the Ontario Chief Medical Officer of Health in a 2012 report on oral health in Ontario, and amend all applicable legislation and regulations to make the fluoridation of municipal drinking water mandatory in all municipal water systems across the province of Ontario.”

I agree with the petition, and I'm affixing my signature to it and giving it to page Julia.

#### WIND TURBINES

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

“Whereas an industrial wind turbine development is to be constructed approximately 3.5 kilometres west of the village of Crysler by EDP Renewables; and

“Whereas the project will consist of 25-50 mega wind turbines and this has raised concerns by the citizens of Crysler and surrounding area related to health, safety and property values; and

“Whereas the Green Energy Act allows wind turbine developments to bypass meaningful public input and municipal approval;

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

“That the Ministry of the Environment revise the Green Energy Act to allow full public input and municipal approvals on all industrial wind farm developments, and the Minister of the Environment conduct a thorough scientific study on the health and environmental impacts of industrial wind turbines.”

I agree with this and will pass it to page Faith.

#### MENTAL HEALTH AND ADDICTION SERVICES

**Ms. Teresa J. Armstrong:** I have a petition entitled Better Mental Health Services.

“To the Legislative Assembly of Ontario:

“Whereas mental illness affects people of all ages, educational and income levels, and cultures; and

“Whereas one in five Canadians will experience a mental illness in their lifetime and only one third of those who need mental health services in Canada actually receive them; and

“Whereas mental illness is the second leading cause of human disability and premature death in Canada; and

“Whereas the cost of mental health and addictions to the Ontario economy is \$34 billion; and

“Whereas the Select Committee on Mental Health and Addictions made 22 recommendations in their final report; and

“Whereas the Improving Mental Health and Addictions Services in Ontario Act, 2015, seeks to implement all 22 of these recommendations;

“We, the undersigned, petition the Legislative Assembly of Ontario to pass the Improving Mental Health and Addictions Services in Ontario Act, 2015, which:

“(1) Brings all mental health services in the province under one ministry, the Ministry of Health and Long-Term Care;

“(2) Establishes a single body to design, manage and coordinate all mental health and addictions systems throughout the province;

“(3) Ensures that programs and services are delivered consistently and comprehensively across Ontario;

“(4) Grants the Ombudsman full powers to audit or investigate providers of mental health and addictions services in Ontario.”

I sign this petition and give it to page Abby to deliver to the table.

#### PROTECTION DE L'ENVIRONNEMENT

**M. Shafiq Qadri:** J'ai une pétition adressée à l'Assemblée législative de l'Ontario.

« Attendu que les microbilles sont de petites particules de plastique de moins de 1 mm de diamètre, qui passent à travers nos systèmes de filtration de l'eau et sont présentes dans nos rivières et dans les Grands Lacs;

« Attendu que la présence de ces microbilles dans les Grands Lacs augmente et qu'elles contribuent à la pollution par le plastique de nos lacs et rivières d'eau douce;

« Attendu que la recherche scientifique et les données recueillies jusqu'à présent révèlent que les microbilles qui sont présentes dans notre système d'alimentation en eau stockent des toxines, que des organismes confondent ces microbilles avec des aliments et que ces microbilles peuvent se retrouver dans notre chaîne alimentaire;

« Nous, les soussignés, présentons une pétition à l'Assemblée législative aux fins suivantes :

« Mandater le gouvernement de l'Ontario pour qu'il interdise la création et l'ajout de microbilles aux produits cosmétiques et à tous les autres produits de santé et de beauté connexes et demander au ministère de l'Environnement d'effectuer une étude annuelle des Grands Lacs pour analyser les eaux et déceler la présence de microbilles. »

Je vous l'envoie avec page Soham.

#### RENEWABLE ENERGY

**Mr. Todd Smith:** I have another stack of petitions from the Marmora area to present to the Legislative Assembly of Ontario:

“Whereas the Ontario Ministry of Agriculture has protected class 3 agricultural land from development for the purposes of projects under the Green Energy Act; and

“Whereas the United Nations has declared the vital importance soil plays in human civilization and protection of this vital resource; and

“Whereas the solar energy facility, SunEdison Cordova Solar Project, planned for Ledge Road, Clemenger Road and Twin Sister Road, in the municipality of Marmora and Lake will occupy agricultural land that has previously been protected against development under the Green Energy Act;

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

“That the Ministry of Agriculture, Food and Rural Affairs take the necessary steps to ensure that projects, including the SunEdison Cordova Solar Project, that are on protected agricultural land are protected from large-scale, industrial energy development.”

I agree with this, will sign it and send it to the table with Julia E.

#### PRIVATIZATION OF PUBLIC ASSETS

**Ms. Peggy Sattler:** I have a petition to the Legislative Assembly of Ontario called “Hydro One Not for Sale! Say No to Privatization,” and it reads as follows:

“Whereas the provincial government is creating a privatization scheme that will lead to higher hydro rates, lower reliability, and hundreds of millions less for our schools, roads, and hospitals; and

“Whereas the privatization scheme will be particularly harmful to northern and First Nations communities; and

“Whereas the provincial government is creating this privatization scheme under a veil of secrecy that means Ontarians don’t have a say on a change that will affect their lives dramatically; and

“Whereas it is not too late to cancel the scheme;

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

“That the province of Ontario immediately cancel its scheme to privatize Ontario’s Hydro One.”

I couldn’t agree more with this petition. I affix my name to it and will give it to page Irene to take to the table.

#### ONTARIO RETIREMENT PENSION PLAN

**Ms. Ann Hoggarth:** “Planning for Ontario’s future.

“To the Legislative Assembly of Ontario:

“Whereas it is absolutely crucial that more is done to provide Ontarians retirement financial security which they can rely on;

“Whereas the federal government has refused to partner with our government to ensure that Ontarians have a secure retirement plan;

“Whereas more than three million Ontarians rely on the Canada Pension Plan alone, that currently does not provide enough to support an adequate standard of living;

“Whereas the Ontario Retirement Pension Plan will provide the safe and stable retirement that Ontarians need;

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

“That all members of the Ontario assembly support a plan to move forward with an Ontario-made pension retirement plan that will provide a financially secure retirement for Ontarians.”

I agree with this, and I will affix my name and give it to page Victoria.

1550

#### WIND TURBINES

**Mr. Randy Hillier:** I have a petition to the Legislative Assembly of Ontario. It’s signed by thousands of people from my riding. It states:

“Whereas the overwhelming majority of Addington Highlands (AH) residents are against the introduction of industrial wind turbines (IWTs) into the township; and

“Whereas this position was confirmed through a council-sanctioned survey, which found that at least 81% of AH residents are against IWTs; and

“Whereas AH council ignored this and other survey results and subsequently rejected its sworn oath to honourably represent its constituents...;

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

“That the government of Ontario recognize Addington Highlands community as an unwilling host based upon the surveys of her residents, that there is no community support for IWTs in AH, and recognize that the current council has lost the confidence of the people on the matter of industrial wind turbines.”

#### ORDERS OF THE DAY

##### EMPLOYMENT AND LABOUR STATUTE

##### LAW AMENDMENT ACT, 2015

##### LOI DE 2015 MODIFIANT DES LOIS

##### EN CE QUI CONCERNE L’EMPLOI

##### ET LES RELATIONS DE TRAVAIL

Resuming the debate adjourned on October 27, 2015, on the motion for second reading of the following bill:

Bill 109, An Act to amend various statutes with respect to employment and labour / Projet de loi 109, Loi modifiant diverses lois en ce qui concerne l’emploi et les relations de travail.

**The Acting Speaker (Mr. Paul Miller):** The last time we dealt with this—it’s now the NDP’s lead. The member from Welland.

**Ms. Cindy Forster:** It’s always a pleasure to rise in this House to talk about important issues, and there can be nothing more important than the health and safety of workers in the province of Ontario. So I want to speak

today to Bill 109, the Employment and Labour Statute Law Amendment Act, 2015.

Since becoming the labour critic earlier this year, I've spent many hours meeting with workers, with advocacy groups, with labour leaders and countless others to try and get an understanding of the complexity of the still unaddressed labour issues, workers' issues that people face in this province. These issues are particularly important to me because, as you know, I was a front-line nurse for 20 years, so I consider myself a worker. I represented nurses in that capacity as an elected union president, a health and safety representative—all different areas. I then went to work for the Ontario Nurses' Association, where I represented registered nurses and allied health professionals for another 20 years. So now I'm giving away my age.

I can tell you that I understand how important it is for all hard-working Ontarians in our province to have a good, stable job, a job that can support a family, one that they can rely on every week for a paycheque. However, the truth is that there are too many families across this province that are actually living in poverty, too many unable to climb out of poverty because of precarious work—work that has part-time hours, that is for temporary agencies that don't have enough regulation, or foreign temporary workers who aren't being monitored under federal regulations to ensure they have a safe work environment.

This happens even in good jobs in this province, Speaker. Precarious work can be in health care. CarePartners, for example, are still on strike after, I think, almost eight months working for a for-profit agency here in the province. They're on strike because of that precarious work. The way that they are being paid and their working conditions are not much different than the canning factories of the 1950s and 1960s: running from house to house, not being paid for travel time, all of those kinds of things that are part of the precarious work situation and that become more prevalent each year in this province, not to mention the wait-lists that continue to grow for seniors in our province and other vulnerable groups in every one of our communities.

So there are lots of issues plaguing workers and there are not enough supports in place. To put it simply, Speaker, the Liberal government is failing to provide any recourse for workers across this province for many of these very important issues.

Too many workers in this province go to work without a guarantee that they won't come home injured. I think we had seven or eight falls where people actually lost their lives in 2014. Too many single mothers are struggling with temporary jobs, juggling a family, trying to get by. For over a decade, workers in this province have been lobbying for some simple improvements that would actually improve their work lives because they could join a union; things like automatic card certification, which we had back in 1990 and which the Liberal government gave to the construction industry. But all of the other workers in this province have to have a secret campaign,

sign their cards, file their application at the labour board and then fight with employers about whether or not they've signed enough cards. People want to join a union, they want to have a voice, they want to have somebody advocate for them, they want somebody to negotiate good wages, good benefits, a pension plan and working conditions.

I organized for the Ontario Nurses' Association full time for a period of about five years in the mid-1990s. The vast majority of nurses did not join a union because of wages or because of benefits. They joined because they felt disrespected and they didn't have a voice.

Taras, our member from Essex, introduced a bill in 2012, Bill 77, which would have seen a number of easy, progressive changes for the labour movement: automatic card certification, first contract arbitration—here we have these CarePartners nurses and support workers out on strike for eight months and they can't even get to a first contract arbitration, while we have hundreds of seniors on wait-lists waiting for care—a no-discipline certification process and something easy, like ensuring that your ESA rights are on posters in every workplace. The truth is that the hard-working people in this province shouldn't have to fight this hard to get these little fixes in the various pieces of legislation that affect workers in this province.

This bill was introduced at the tail end of the session last year. We know that it's kind of an omnibus bill, because it is dealing with a number of pieces of legislation. It's dealing with the Fire Protection and Prevention Act, it's dealing with the public sector labour relations act and it's dealing with the Workplace Safety and Insurance Act.

It's interesting to me that all three of these are shoved into one bill, because on one hand, parts of it are pretty progressive: looking for improvements in occupational health and safety for all workers and giving firefighters in our province the same rights that other workers have under the Labour Relations Act.

But then there's this poison pill, under the Public Sector Labour Relations Transition Act, where the government is proposing to take away the democratic right of workers in an amalgamation or merger of a school or a municipality or a hospital—to actually take away the rights—if they have less than 40% representation, so that they wouldn't have a right to vote for the union of their choice.

I don't know why the government has done this. In my view, I think they should split the bill or they should actually remove this piece because all it's doing is pitting some unions against some other unions, worker against worker. That's exactly what it is doing. I think I said this yesterday, when the Tories were up speaking to the bill: It is an infringement of our Charter of Rights and Freedoms.

Under schedule 1, the Fire Protection and Prevention Act: Basically this schedule just amends the FPPA by aligning it with the existing Labour Relations Act that governs most workers in the province. It would make

changes to that act around unfair labour practices, provisions that currently don't exist under the FPPA: membership in associations, expedited rights to arbitration, with modifications that take into account the unique nature of firefighters' labour relations.

It would amend the FPPA to address membership in associations in a number of ways. It would permit associations to require the inclusion of a closed shop in a collective agreement, mandatory dues, deductions and provisions requiring membership in the association, and it would give preference of employment to members of an association.

#### 1600

It would also amend it by the addition of a range of prohibitions on unfair labour practices that don't currently exist in the act that governs firefighters in this province. Under "the duty of fair representation" obligation, it would ensure that the union is actually representing firefighters fairly in this province. That language doesn't currently exist under the FPPA.

On the introduction of an expedited rights arbitration process, similar to that found under section 49 of Labour Relations Act: Under that act, either party, the employer or the worker, can ask for an expedited process where there is a grievance, and the grievance has to be heard within 21 days. It's the appointment of a single arbitrator by the ministry, and it's to decide an unresolved grievance.

You'll know from your past life, Mr. Speaker, that it can sometimes take years to resolve a grievance. This expedited process, although it's good and it gets you to that hearing for the first day in 21 days, it doesn't mean that your second day, third day, fourth day of hearing—some grievance arbitrations can take that long—are going to happen in any speedy way. If you've got a simple grievance, you might get it resolved on that first day of arbitration and then you have to wait for your decision. But in my experience, having dealt with thousands of grievances over the years, that isn't always what happens. It all depends on whether the arbitrator is available on another date that is close by. It depends on the lawyers or the union representatives who are representing the worker in the grievance. So it isn't a given that you're going to get a decision in 21 days.

Further amendments would provide some religious exemption from paying dues. This issue is already contained in the Labour Relations Act. I can tell you, having organized about 5,000 nurses in my time with ONA, the issue of religious exemption is very minimal. It doesn't come up very often—I can really only recall once or twice. There was a merger between the Scarborough General Hospital and the Salvation Army Scarborough Grace Hospital. There were a couple of people who worked there who didn't want to pay union dues and thought they could have that addressed through the Labour Relations Act.

Bill 109 also provides that the changes will have some retroactive effect, as they will apply immediately to any ongoing matters that are before the OLRB. What that

means is that the bill was introduced on May 28, so if there are any issues currently at the Ontario Labour Relations Board and this bill is passed, then the effect would be made retroactive to that date. We know, however, that this Liberal government has a history of delaying bills and delaying the order of things in committee. They also have a history of time-allocating bills, time-allocating amendments, time-allocating clause-by-clause and preventing people who want to weigh in on an issue from having the right to come in and make presentations. I see one of my Tory colleagues nodding here, because we experienced that this week, actually, in social policy. If there are a lot of people wanting to weigh in on this bill, I would say, don't hold your breath, because it may not get to committee as soon as you think and you may never get a chance to weigh in because of the restrictive time-allocation ways of the Liberals in this majority government.

The second part of the bill is around the workers' compensation system. It would make a number of amendments to the Workplace Safety and Insurance Act that we support. Having said that, I want to highlight the amendments that the government is proposing, and say that they certainly don't go as far as they should to make sure that workers are protected. After years and years of paying lip service to injured workers in this province, many of the amendments that are included here don't begin to cover the necessary changes that workers, advocacy groups, and consultants who have been hired to write reports have addressed over the last five to 10 years.

In his leadoff speech, the Minister of Labour stated that this schedule of the bill was "driven by our commitment to protect injured workers and their right to file a claim with" WSIB. If this commitment was real, we wouldn't have had to wait over five years for recommendations from a government-commissioned report on WSIB to start being implemented here today.

Over five years ago, the Liberal government's Ministry of Labour commissioned a report called the Dean report to look at occupational health and safety issues following the tragic death of a worker who fell while working on a high-rise platform right here in Toronto. This was over five years ago. Last year, there were seven more falls, and the recommendation from that report still wasn't implemented. Absolutely no movement has been made on any of the key recommendations of the report.

However, as New Democrats, we support the Fair Practices Commissioner that is proposed in this piece of legislation to serve as an ombudsman of the WSIB under this bill. The new commissioner would have the authority to investigate complaints and to make recommendations—effective recommendations, I hope, and, I hope, some authority to enforce—

*Interjections.*

**The Acting Speaker (Mr. Paul Miller):** The minister is a little loud over there.

**Ms. Cindy Forster:** —the government to enshrine into legislation or regulation.

I look forward to seeing this ombudsman, this Fair Practices Commissioner, come into practice. But there are some questions that we need to ask ourselves before we get into that committee. Who determines how that person will be appointed? What criteria would establish them as being viable candidates, or would they just be a friend of the Liberals? Lastly and most importantly, would the commissioner be appointed by unanimous agreement of the parties, which is the case here with most legislative officers of this House?

The issue of claims suppression is a huge issue. The bill would amend the act to provide protection to employees who have filed, or intend to file, a claim for benefits due to workplace accident or injury by prohibiting employers from filing claims influencing or inducing workers to withdraw or abandon claims.

I have a little story here, Speaker. In probably the mid-2000s, I would say it was, I was representing nurses who worked for the Niagara Health System. You've all heard about the Niagara Health System over the years. It's the largest health system in the province. Eight hospitals came together; it has never worked.

In any event, at that time, I was doing the servicing for the Ontario Nurses' Association. A couple of nurses brought to our attention that when they tried to get paid for an incidental sick day, where they were off sick with the flu or a cold, they were told by their managers in the occupational health department that they didn't have any sick days in their bank.

In the hospital sector, they work under a system of a short-term and a long-term disability plan. Under the short-term plan, you have 15 weeks of short-term, and then you move to a long-term plan that can go up to two years in your own occupation, and longer in any occupation.

These were people who had injuries in the past. When we started to investigate it, there were 700 workers in the Niagara Health System, both from ONA and SEIU, the support workers, who had not had any lost-time claims reported by the occupational health department of the Niagara Health System to WSIB.

All of these people were at risk somewhere down the road. So we called in WSIB, and they investigated the Niagara Health System. At the end of the day, we had all of these people's sick banks reinstated, because what they had done was, while these people were off with their injuries, they had used their sick banks. They had not claimed any lost time for them—even though some of them were off eight weeks, 10 weeks, 15 weeks—and used their banks. Then when they went to use a sick day, that's when we found out what they had done.

**1610**

You know what? It was a terrible thing to find out that an employer was so blatantly doing this across the board, but at the same time getting experience-rating rebates back for a couple of million dollars. That happens across the province.

I know that this happens, and I also know individually from speaking to nurses over the years that many times

they're encouraged—somebody injures themselves, they need to go for surgery and they're encouraged by their managers, not just in health care but everywhere, to use their sick time: "It'll be easier to get the money. You won't have to wait that three weeks or four weeks to get compensation." The problem is that if you don't recover in the period of time that you normally would recover, for whatever reason, you then will be reduced to long-term disability benefits, at a much lower rate than you would have received through compensation.

Claims suppression is a huge problem in this province. Many workers have reported implied threats when an employer offers to continue a worker's wages instead of reporting. Claims suppression results in many injuries not being reported, and often, workers are brought in to work just to sit at a desk and do nothing so that the employer does not have any lost-time claims.

I recently had the pleasure of meeting with the Ontario Network of Injured Workers, a group that's no stranger to the Legislature. It's headed, as we know, by Karl Crevar, who so pointedly highlighted how not only problematic but costly claims suppression is. Injured workers and their families are the ones forced to bear most of the brunt of those costs and those injuries, as well as our public systems that people pay taxes for, our ODSP and Ontario Works system. So on one hand, we're not paying them their compensation benefits, but then we end up paying it out of another pocket.

It can be subtle, it can be hidden, and it's difficult to know when it happens unless workers actually report it. A WSIB-funded study said that at least 8% of work-related injuries and illnesses are either not reported or misrepresented when they are reported, because of the lost-time injuries and not wanting to report that. As many as 10% of the cases aren't reported at all. So there's reason to believe that it's widespread.

In a recent funding review of WSIB by Professor Harry Arthurs, he describes WSIB's failure to address claim suppression as a "moral crisis." On May 12, that report came out, and it's taken three years to get to here today just to bring a bill forward that will address some of this issue.

He recommended that WSIB commit to making the changes necessary to protect workers against claims suppression and other abuses related to the experience-rating piece. He said at the time that it was so significant that he recommended that it be done within 12 months. But here we are, three years—and by the time it's done, it will probably be closer to four years.

He went on to say: "Unless the WSIB is prepared to aggressively use its existing powers ... to prevent and punish claims suppression, and unless it is able to vouch for the integrity ... of its experience rating programs, it should not continue to operate them."

Once again, Speaker, claims suppression on this side equals rebates that employers shouldn't be getting on that side. At a time when we say that WSIB's liability is underfunded, we're paying out millions of dollars to employers who may or may not be suppressing claims.

Claims management is also a problem under the current system. If this government refuses to look at this issue for its most vulnerable workers, then the financial costs continue to rise there as well. This is when employers take an adversarial approach to workers' claims, or to workers returning to work, to try and limit their responsibility. They accuse workers of exaggerating their symptoms. They appeal claims. They hire private investigators to monitor injured workers. They withhold supporting evidence, and I experienced that as well, in my time representing nurses, where someone would have an injury and then, all of a sudden, when you would get a file, the employer reported, "Well, that woman played piano for 20 years"—which had nothing to do with the injury that she had to her hand or her arm—trying to throw things in there that might ensure that the claim didn't get supported.

They pressure workers to return to work early on modified work, even when they're not ready, to try to avoid those loss claims, and terminate workers' employment once further claim costs would no longer affect their premiums.

I've experienced that as well, where once that \$250,000 premium that the employer had to pay because of that injury was gone, they were then pushing the workers out the door.

The claims management rules of workers' compensation make this an adversarial system, undermining the Meredith principles that compensation was first set up under. It stigmatizes and marginalizes workers, and it further undermines their health, because they may be off with a physical problem, but when they have to go through all of these issues in this way, it then affects their mental health as well.

There's also evidence that this even goes as far as hiring practices, where there are employers who avoid hiring anybody who may have had an injury, or has some disability. They fear that because they were injured on the job once, they'll be off again and the premium costs will actually go up.

The prohibitions, the good pieces of this bill, extend to make sure that all manner of promises, threats and discipline, including terminations, suspensions and otherwise imposing a penalty on workers will end. A new monetary penalty—amount to be prescribed by regulation—would apply any time that the fine could be imposed by the court if the employer was found guilty of an offence.

We're certainly keen to see what that penalty is going to be, but I would suggest that it needs to be significant. Just like the quadrupling of the fine from \$100,000 to \$500,000 under this bill, I think that the penalty for intimidating employees to not file claims should be significant, because at the same time, employers have been receiving huge amounts of dollars—millions and millions of dollars—in experience-rating benefits.

The further change is that the maximum fine would be increased from \$100,000 to \$500,000. We're pleased to see, over five years of seeing this recommendation come in, that the government is finally taking steps to make

sure that the penalty actually sends a message that workers need to be protected in the workplace.

The third interesting piece of the schedule is an amendment that would eliminate the deemed net average earnings provision currently applicable when calculating the level of survivor benefits payable in cases where workers have no net average earnings on the date of injury.

This actually comes out of the bill that the member from Oshawa put forward a month or so ago. So, rather than applying the statutory minimum amount—there is a minimum of \$15,312.51 per year, a benefit to survivors—it is being amended in this piece of legislation. It would be the net average earnings of workers engaged in the profession as the deceased worker at the time that the injury first arose. This could be a good thing or a bad thing, depending on how much money your net average earning was at the time that the injury first arose, if it was quite a long time ago. I personally think there should be at least a minimum, and then your average net earnings after that, but that's certainly something we can look at putting an amendment into.

The other piece of this legislation is that it would apply retroactively to any injury that occurred on or after 1998, but not before, which is problematic.

#### 1620

It permits survivors to request the WSIB to reconsider decisions already rendered, and the ability to refile claims with WSIB that have already been determined. I'd like to highlight that, despite knowing about these two issues for over five years, the government has been really slow about bringing these changes forward.

The issue of claims suppression and increasing fines to employers found guilty of WSIB breaches was inspired by Harry Arthurs back in 2010. He also was asked to make recommendations on how it could reduce or eliminate its unfunded liability.

Christine Arnott, who was a spokeswoman at the time, committed to review the program and draw on the report's recommendations. Speaker, there were more than two recommendations; there were numerous recommendations. But to date, a mere two are being acted upon out of that report that's been collecting dust for so many years.

Eliminate the experience rating; the claims suppression piece; deal with WSIB's tracking of worker complaints; conduct random audits; training WSIB staff: These are all things that are really good recommendations, but they're not being dealt with in this piece of legislation.

Every employer, he also said, should be required to designate a health and safety compliance officer, a person who ensures that the company, the employer, actually complies with the act. There is nothing in this piece of legislation that deals with that.

In his report released last May, Arthurs confirmed that non-reporting is widespread, and he called for greater monitoring of companies and increased financial penalties for claims suppression. That's actually happening, Speaker.

To the occupational disease piece: Section 48.1 is a very close rendition of the member from Oshawa's bill, which she introduced three weeks before the government tabled this legislation. Her bill moved to close existing loopholes in WSIA that allow the victims of occupational disease and their spouses to be denied loss-of-earnings and survivor benefits. It would reinstate loss-of-earnings benefits for workers diagnosed with occupational diseases after retirement and eliminate a technicality in the act that currently allows those benefits to be drastically reduced.

It would provide death benefits to be paid to survivors when a worker dies due to an injury for which the worker would otherwise have been entitled to benefits under the insurance plan. We know that since 2011 there have been at least 14 of these tribunal decisions that have resulted in a reduction of pensions to the surviving spouses of workers who have died of occupational illnesses. All workers in this province are susceptible to an occupational disease. For example, if a steamfitter, a miner or a firefighter was diagnosed after they retired, then their widow's survivor benefits would be in question.

I think the catch in there was the word "earnings." Some smart lawyers for the government, I guess, picked up on that word "earnings" and went by the letter of the law with respect to the definition of the word "earnings"—as opposed to people collecting their pension, as opposed to the spirit of the legislation, which was to make sure that survivors, the spouses of people who died from occupational illness, would be able to support themselves and their families after their spouses died. Unfortunately, the lawyers won the argument. This is what the member from Oshawa's bill is reaching to correct. It is addressed in Bill 109, but it is a kind of half-measure. It's watered down.

I'm going to borrow from the words of the member from Oshawa herself by saying that it is unconscionable that we have allowed even more to be taken from the spouses of injured workers or workers who had occupational diseases who have passed on, and to let this go on for so long despite the pleas of workers and their families and of advocacy groups across the province who believe that the spirit of the legislation was to ensure protection for them. So employers hope that workers retire before diagnosis so that they aren't eligible for the loss-of-earnings payment.

Interestingly enough, my colleague's bill doesn't have a date or time stamp, which the government's bill does. The government's bill says "January 1998"; the member from Oshawa's bill didn't have any date. This is actually problematic, because as a registered nurse, I saw first-hand how latent illnesses are—with some diseases, it can be 50 years. Talk about illnesses like asbestosis—which you would know, Speaker, from your days in the steel mill—COPD, nickel plant sinus cancers—people retired and developed sinus cancers 40 or 50 years after their work ended. Presumptive cancers for firefighters: We have presumptive legislation in the system for our firefighters, which is good, but we don't have that same

kind of presumptive legislation for steelworkers, for miners, for many people who actually come in contact with many chemicals and carcinogens—

**Interjection:** Every day.

**Ms. Cindy Forster:**—every day which may impact them much later than 17 years, which is what the bill is proposing.

There was this man in Niagara Falls—the member from Niagara Falls is here today—whose name was Mr. Mancuso. He fell into a vat of chemicals, probably about 30 years ago, in Niagara Falls. Everything should have happened right there on site. Unfortunately, the man was dead almost immediately. The skin burned off the bone. His body was—911 was called, so now we have the police, the firefighters and the paramedics all involved with this chemical issue and the body of this man, this deceased man. They take the body to the hospital, to the emergency department, and wheel him through the emergency department, and so now we have the nurses, the clerical staff, the housekeepers and any patients that happened to be in the emergency department exposed.

I can tell you that in my time representing the nurses at the Niagara Health System, this issue has come back to haunt those workers. We invited in OHCOW, the occupational health clinics. They have come in and they've interviewed many of the workers who were exposed on that day. Some of them went off work fairly recently after that accident happened, but many of them still working now have developed COPD and different respiratory ailments—not only the hospital workers but the firefighters as well. To put this date of 1998 in—that situation happened 30 years ago, and those workers as well need to have a right to go back and access those survivor benefits in the event that they die.

Labour experts across the province have weighed in on both pieces of legislation, and they agree that our private member's bill from the member from Oshawa is certainly a better piece of legislation. We'll likely be proposing some amendments when we get to committee.

Now I want to move on to the piece about PSLRTA, the Public Sector Labour Relations Transition Act. This is the poison pill that's in the bill. That rhymes, Speaker: poison pill that's in the bill. On one hand, we're proposing legislation that is great, that is going to assist our firefighters here in the province, and we're proposing legislation that is going to improve the lives of injured workers in this province, or workers in general. But on this side, we're actually going to fly in the face of democracy and our Charter of Rights by denying workers the right to vote for the union of their choice. This piece of legislation actually came in under the Harris government when they were trying to merge municipalities and hospitals and school boards and—

1630

**Mr. Wayne Gates:** Everything.

**Ms. Cindy Forster:** Everything. There was a list; there was an A list and there was a B list. I remember; I was on council at the time, and we were actually on the B list. We were kind of the next hit in Niagara to merge 12

municipalities into one, like they did in Toronto and they did in Hamilton, and they did in Haldimand–Norfolk. I can't remember where else—maybe Ottawa. Did they in Ottawa? I can't remember. So we were on the list, but, anyway, after a few—

**Mr. Randy Hillier:** Almonte and Ramsay townships.

**Ms. Cindy Forster:** Yes. After a few by-elections during this period and a loss for the Conservatives of most of those seats, Mike Harris stopped that process, and it didn't continue.

Anyway, out of that came this Public Sector Labour Relations Transition Act. It was a process put in place so that, if you were represented by a union, or if different groups of people were represented by different unions—say two hospitals were merging, for example, or eight hospitals, like in Niagara—there would be a systematic process to determine who was going to represent those workers at the end of the day. It included non-union workers as well, so that non-union people would also have their democratic right to either vote for a union or not vote for a union. It got expanded. Initially, it just talked about hospitals, but then it got expanded to the health care sector as hospitals started to kind of divest themselves of other-than-core services. So it now applies to most of the health care sector.

In any event, what it really does is it pits unions against unions. I don't know why the government, actually, is even introducing this bill. I haven't heard from any employers—I haven't heard from anyone who actually has been affected by this or thinks that this is a burning issue. In fact, there have only been two votes in the last two years in the health care sector—one in 2014 and one in 2015—where there were two or three different unions representing health care workers, and a vote took place. The process is not onerous. I've been at the labour board many times over the years on this issue.

In some cases, the unions, when they only had a few members, voluntarily took their names out of the race. An example was the city of Toronto, which took in Toronto, Scarborough, East York, York, North York and Etobicoke. In that situation, CUPE had large bargaining units at the city of Toronto, like 10,000 inside workers and 10,000 outside workers. The Ontario Nurses' Association had six, small registered-nurse bargaining units. There's no way we were going to win that vote, and so, at the end of the day, we weren't even on the ballot, right?

I haven't heard that there are employers complaining about this. I had never heard the minister or his parliamentary assistant even say which stakeholders brought this issue forward, but I can tell you that most of the major stakeholders have told me that they are certainly opposed to this issue.

Under the PSLRTA—there used to be successor rights under the Labour Relations Act that don't really exist any longer, except under this PSLRTA legislation. So for care partners, for example—I'll use them again, those nurses that are still on strike eight months later, with the government not even intervening to assist them. In that

situation, in the past, if nurses were in VON, for example, and VON closed down for some reason, you would have had successor rights when the new agency actually opened up. But that ended with this PSLRTA legislation, which is why we ended up with very few VON agencies across the province. The little bit of work that they do have today is more shift nursing than it is community care. But the merger, the time that it took at the labour board, was not that onerous.

The government is proposing that if you don't have 40% of the members, you don't have the right to a vote. I can tell you that in many of the votes that I was involved in, it wasn't always the 60% that won the vote. There were many situations where maybe people decided they wanted to make a change. They weren't necessarily happy with their current representation, or they wanted to be in a nursing union, as opposed to being in a large, wall-to-wall bargaining unit that had everything from clerical and cleaners right up to IT people and health care professionals.

There have been all kinds of different votes. There was a vote at one hospital in the province where the union that only had 100 workers won a 2,000-member bargaining unit. People actually had the right to express their freedom of choice in those situations and to pick the union they wanted.

I think that at the end of the day, there will be a charter challenge on this piece of legislation. Recently, in the Royal Canadian Mounted Police case in the Supreme Court—that was where the Royal Canadian Mounted Police wanted to be unionized, and the employer didn't want them to be unionized. The charter guarantees a meaningful process of collective bargaining, which includes a process that provides an employee with a degree of choice and independence—there's the key, Speaker: a degree of choice and independence—sufficient to enable them to determine their collective interests and meaningfully pursue them.

The court noted that the hallmarks of employee choice include the ability to form and join new associations, and to change representatives, which is exactly what this PSLRTA section in Bill 109 is about. If you're going to take away 40% of people's rights to choose, then I don't think it would actually pass the test in a charter challenge.

The decision of the court was also to set and change collective workplace goals, to dissolve existing associations, and accountability to the members of the association is an important element of choice.

I'm of the view, and others—legal experts—are of the view that the proposed amendments to the PSLRTA would not stand a charter scrutiny. By depriving union members of the union of their choice on the basis that they fell below an arbitrary minimum percentage—in this case, 40%—of a newly integrated bargaining unit is an unnecessary infringement of their charter right to the union of their choice. Really, Speaker, it is totally unnecessary. There have been no problems for 19 years, I think it is, under the current provisions. Yes, sometimes



the unions got a little ticked at each other through the process, but at the end of the day, it's all about democracy and the right of an individual worker to choose who they want.

When I looked at the legislation—I see that the government is still proposing that if you're non-union and you make up 40%, you still have the right to vote, which is really strange, because you only have to have 50%-plus-one of workers in an organizing drive to unionize. Here, you're saying that 40% of a non-union group of workers could get rid of a union, and that doesn't make any sense in the process. But on the other hand, if workers have 40% in a union, and the other union has 60%, in that case, those 40% unionized workers don't even get a vote. So it doesn't fly, in the face of democracy, in my opinion.

**Ms. Teresa J. Armstrong:** Who came up with this bill?

**Ms. Cindy Forster:** I don't know who came up with this bill.

1640

Anyway, as I say, there are tons of examples. I'm sure that there will be lots of examples coming forward to the government during the presentations when this bill actually gets to committee. But I can tell you, in the years that I was involved at the labour board, there were some situations where there were three unions involved.

I remember one of the CCACs—when the government moved the CCACs from 42 down to 14, there were representation votes. I think it was somewhere here in Toronto; I think it was in York. There was a CUPE bargaining unit, a COPE bargaining unit and an ONA bargaining unit. I think CUPE and ONA had around 40%; it might have been 39%—whatever. COPE only had 20%, and they won the vote. At the end of the day, they won the vote in that region to represent all of those workers in York region in the CCAC. So small doesn't necessarily mean that you can't win at the end of the day.

**Ms. Teresa J. Armstrong:** Interesting.

**Ms. Cindy Forster:** Yes, it is very interesting.

I'm going to spend the last bit of my time just speaking about the consultations. We talk about all the kinds of labour issues that are important to people. I have to tell you that there were consultations held this summer around the Employment Standards Act—and I think there are going to be some more held around the Labour Relations Act—but the problem with these consultations were that they were not open to the public. Here, we have people coming all the time making presentations to us around various bills in committee, and they're open to the public. Anybody can come in there and sit and listen. But these consultations were not open to the public. If you weren't making a presentation to this panel, you weren't able to actually be there.

The other part of it, Speaker, that is problematic is that the presentations went to this panel, so no one else has any access to this information unless we actually go and—we don't even know who presented to the panel, at this point in time, unless somebody has brought it to our

attention and provided us with a copy. I don't think that that is good representation of our constituents when we, as elected officials, can't even sit in on one of these summits. I guess it was a summit, a summit panel. It's problematic. It's certainly problematic for me. They were not all across the province. For example, there was nothing in Sudbury until the member from Nickel Belt actually requested it. I know that we put on record that we should have something in Niagara, because the closest, I think, was in Hamilton, but that didn't happen.

I did actually have a story to share about the ESA consultation that was held right here in Toronto last summer. This woman of Filipino descent recounted a profound and compelling deputation around her own struggles being an at-home caregiver. I'm told the presentation was so persuasive and gripping that she had most of the room in tears, Speaker. When she wrapped up her presentation, the two ministry officials, who were both male, both white, sitting at the front of the room, thanked her for her presentation, while one proceeded to recount that though her presentation was persuasive and while he "empathizes," he was fairly certain it didn't speak to the experience of all home caregivers, since being someone who "had a child care provider at home, has experienced his own share of problems with them."

This, Speaker, is not only a terrible kind of feedback but a prime example of what happens when class, race and gender intersect. If these were the kinds of people who were sitting at the front of this panel and that was the kind of response that the people making presentations got, it's no wonder why people don't come forward to continue to make these presentations. That was kind of an unsolicited recounting of how this woman felt when she left that panel.

And so we're still waiting to hear what the various presenters—whether they were individuals, unions or advocates for people living in poverty, people in precarious work or temporary agencies. We're still waiting to see what those recommendations are that come out of there. I don't know how long that will take, but if it's anything like the Arthurs Report or the Dean Report, it may be years.

The precarious employment piece continues to be big and continues to grow and grow in this province. Scheduling temporary work—it used to be that you couldn't get a home office; it was very difficult. But employers today don't even want to carry the expense of actually having people in an office, so people are at home using their own hydro and their own computers—part-time work, no benefits, no pension. Those are very important issues for the people in this province, and we see that every quarter, when the job stats come out through the federal government and provincially. Although more jobs are being created, the vast majority of those jobs are actually part-time work that doesn't pay benefits, doesn't have a pension, doesn't have any job security and can't support families and feed kids.

I met with the Workers' Action Centre earlier this year to highlight some of the issues of their report, which is

Still Working on the Edge. Shortly thereafter, we also attended the launch of their report *Poverty and Employment Precarity in Southern Ontario Project: The Precarity Penalty*. The results were compelling, Speaker.

These are important labour issues that need to be addressed. Our Employment Standards Act is severely outdated. We know that the act is not enforced as it should be, because there are not enough enforcement officers in place to make sure that that happens. We hear about people all the time who have not received their overtime pay or have not received their paid holiday pay, and then they're terminated by the employer and they have to jump through hoops to try to go back and get those kinds of things in place.

The hours-of-work standards allow for longer workdays and workweeks than most other jurisdictions: 60 hours. We say that we're a progressive government here—and I know that the 60 hours was brought in, I think, under the Tory government. But if we're so progressive, is 60 hours a quality life for anyone? I think not. I think there are many issues that need to be addressed that haven't been addressed in many, many years.

We know as well that there are huge social impacts from not having up-to-date legislation and from not having the appropriate legislation in place for workers in this province and for those living in poverty and those living on the margin. As the former critic for community and social services for a couple of years, I've seen first-hand what happens to people when they don't have secure jobs. Even when they do have secure jobs that perhaps pay a decent wage, the work can often be precarious; it's part-time.

You'll hear it all the time in the health care field, whether it's in the community or in the hospital. People can't get full-time jobs. Their spouses, perhaps, were employed in the manufacturing industry and they were the main breadwinner, and now their spouse is the main breadwinner, so they need full-time jobs so that they can have those benefits and protections in place. I'm sure it doesn't come as a surprise to anybody here that there is a direct correlation between social outcomes and those with access to good-paying jobs here in the province of Ontario.

I'm going to conclude by saying that although this bill provides some improvements under the Fire Protection and Prevention Act piece and under the Workplace Safety and Insurance Act—although they can be tweaked some as well—we've taken a massive step backwards with respect to democracy for workers in this province, for the ability for them to vote for the union of their choice when there is a merger or amalgamation.

**1650**

And it isn't just a merger or amalgamation; we see the non-core programs of hospitals now moving out to the community. So you may have, for example, in the hospital sector, case managers who were social workers who worked in the hospital but now they've been transferred over to the CCAC, and wouldn't have the right for a vote in this particular situation. And many of

those are moving from a big hospital setting out to a smaller community setting.

I think the government is not really serious about improvements to labour laws, and it's not focused on helping the very workers in this province who need it the most. This bill simply pits one union against another by adding a progressive amendment to a bill that is being supported by firefighters, while ensuring that it's entwined with a bill that is problematic for a number of major unions in this province and will take away the democratic rights of many workers in this province.

Thank you for the opportunity.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Shafiq Qaadri:** I would urge all members of the House to support Bill 109, the Employment and Labour Statute Law Amendment Act.

If I might, Speaker, with your permission, speak a little bit about the medical side. We use the phrase "presumptive diagnosis," and perhaps that deserves some explanation. Let's take the case of firefighters who may have had difficulty in proving that it was job-related stress, job-related fumes or chemicals, particles or inhalants that might have caused COPD, chronic obstructive lung disease. "Presumptive" means that we should naturally assume that, with a given amount of time that a firefighter has exposed themselves potentially to these illness-causing materials, the COPD is, in fact, caused by this and therefore it should be a compensatable kind of illness.

The problem, of course, is that these illnesses often take years, possibly even decades, to manifest, to show. For example, if you are interested in developing chronic obstructive pulmonary disease, the ideal way is to smoke one pack a day—your choice of cigarettes—but it would take, on average, approximately 20 years to develop. So, between time of employment, time of exposure, when and where precisely the exposure happened, and then to essentially attribute that to 20 years hence or even longer is, of course, the issue. We want to make sure that this type of bill helps with these types of issues.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments

**Mr. Robert Bailey:** I want to commend the member from Welland. She obviously knows the labour community and the issues, especially in her profession of nursing. I was very interested. I listened quite closely about claim suppression and learned some new details there—it doesn't surprise me—and about the issues about the percentage not reported and about the claims rebate to employers for underreporting. All of those are good points. If they can be proven true, then we certainly need to address that.

I came out of the labour community as well before I got elected. I was a member of two locals. It certainly brought back thoughts about the days of organizing, when people were trying to bring the labour movement into a couple of different places that I was employed at, and eventually they were successful. I was a member of

that union at that time—two locals at the time. Then I crossed over to the dark side and went into management before I got elected. Maybe I went to the dark side when I got elected. That might be a better way of putting it.

It comes as no surprise that at second reading, we intend to support this bill. We want to see it go to committee, and we'll certainly make many amendments there. I'm sure the third party will as well, and probably some of the government members. They're probably not happy with the outcome of this bill as well.

I look forward to having an opportunity and I know many of my colleagues intend to speak to this today. Anytime we can do something to improve the law for the people that work in this province every day and make this the great province it is, I think we should take that opportunity.

**The Acting Speaker (Mr. Paul Miller):** The member from Niagara Falls.

**Mr. Wayne Gates:** Thank you, Speaker, for allowing me to say a few words. This is the second time I've been here and we've talked about this bill. We talk about the firefighters that are in this bill. Yes, the firefighters are supported and, yes, you had some consultation with them and, yes, the firefighters understand more than anybody what it's like to put out fires and be exposed to chemicals and have their colleagues years later end up with cancer.

A young gentleman, Tim Hoday from Niagara Falls, we just buried him a couple of months ago. He had cancer, leukemia, that was caused by the workplace. So we understand that the firefighters would like to see this put in place. What we don't understand is why it's not a separate bill. Why are you putting firefighters in a position to pit unions against unions, workers against workers? It makes absolutely no sense. In my talking to the firefighters, they're in agreement. They just want to get their issues taken care of. So let's take them out of this bill and put it over here and say, "Let's take care of the firefighters." That's what we need to do.

I'm going to try to read this quickly. This is what's coming from the Liberal side: "We're trying to increase the level of fairness by strengthening protections for all of these workers, and we will ensure that the broader public sector transitions go as smoothly as possible"—and this is the key issue and I want all of the Liberals to listen to this, particularly those that have never worked with unions before—"while still balancing the democratic rights of workers."

That's what it's about. It's about saying to workers that if you want to have a merger, you have a merger. But those same workers should have the right to choose who's going to represent them. Whether it be SEIU, whether it be CUPE, whether it be the auto workers, Unifor—it doesn't matter. Those workers should have that right to choose who they want to represent them once they've merged.

I think it's very clear in this statement here: "while still balancing the democratic rights of workers." Give workers the right to choose who they want to have represent them.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Lou Rinaldi:** I just want to make a couple of general comments on the speech from the member from Welland. Obviously, she showed a lot of passion from her former profession coming here. I would say that, in many cases, she made some right points, and in some cases I think we kind of wandered off.

I think it's important we deal with this. Let's get it to committee and let's move on. I'm sure some of the comments we're debating here in this House will reflect the committee, both from folks coming in to talk to us and members as well.

So just a couple of things that I think we need to talk about: Actually, the member from Sarnia highlighted that anytime we can improve the workplace and the safety of workers, regardless of whether they're firefighters, regardless of whether they're municipal employees or whatever the case may be, I think it's an improvement.

When we talk about the protection we're enhancing for the firefighters, I think it's a good thing. Will we ever get to the end of making a perfect world? I'm not so sure, because our predecessors that had the privilege to sit in this place did the right thing when they did it a number of years ago, and as we move on, we keep on looking for improvements.

This is certainly something that I think we need to wrap our hands around, wrap our brains around. Let's get to it to committee after second reading, and let's see if we can refine it even more.

**The Acting Speaker (Mr. Paul Miller):** The member from Welland has two minutes.

**Ms. Cindy Forster:** First, I'd like to thank the members from Etobicoke, Sarnia-Lambton, Niagara Falls and Northumberland-Quinte West.

We support some parts of this bill, but we certainly do not support the part about taking away the democratic rights of workers to vote for the union of their choice.

**1700**

The member from Etobicoke talked about presumptive illness. I'm well aware of presumptive illnesses, but putting a date in there of January 1998 for people to actually go prove their case to the WSIB and the impact that will have on survivor benefits, when we all know—he talked about, if you smoked two packs a day for five years, you may not have anything show up for 30 years. So I think it's important that that date needs to be removed from that legislation.

The member from Northumberland-Quinte West said that it's an improvement. It's an improvement for firefighters, which we support, and it's an improvement for workers under the Workplace Safety and Insurance Board, but certainly not an improvement for the many, many thousands of workers in this province who will find themselves without the right to choose the union of their choice, as this government continues to roll services out of hospitals into communities. There are representation votes at the end of that process.

If you ask any unionized member in this province whether they're affected by this or not, they would say,

“Workers have the right to choose their union.” The Supreme Court decision on the RCMP says that, and I think that this could end in a charter challenge which, maybe, this government is interested in getting into.

**The Acting Speaker (Mr. Paul Miller):** Further debate?

**Mr. Yvan Baker:** I’m looking forward to speaking to the bill. I’d like to share my time with the member for Barrie, the member for Davenport and the member for Durham.

Speaker, I think about this bill, and there’s a number of components to it. I won’t be able to speak to them all, but there are a few that I’d like to highlight and speak to that I think are important and meaningful.

The first thing I want to say about this bill is that I think it has been pulled together in a very thoughtful way in the interests of workers of our province, including firefighters, but I also think it’s pragmatic; it’s implementable. It’s designed not only to ensure that workers are protected, but to do it in a streamlined, efficient and more effective way. I think that that’s good. That’s not only good for the taxpayer, but I think it’s good for the people who are involved in the process to make sure that that process is as quick, yet thorough, as possible.

I want to start by talking about the people who serve as firefighters in our fire departments across the province. Recently, I had the opportunity to meet some of the firefighters who serve in my community of Etobicoke Centre. I had a chance to get to know them a little bit and to speak with some of them about the wonderful work that they do. One of the details actually came out when they volunteered their time when I was holding one of my summer barbecues in the riding, and we invited people from across the community to come for the barbecue as an opportunity for me to meet them. The firefighters came out, and they just pulled up with a truck in the parking lot and kids from the neighbourhood came along and either those who were at the barbecue went to the truck or those who came to the truck then came to the barbecue—either way, they came and they helped out.

We talked a little bit about the job and the risks that they take on in their work and some of the injuries that some of them have faced, and some of their colleagues have faced, I should say, over the years. In any event, that’s why I think it’s so important that we put in place the appropriate labour protections for our firefighters. These people, of course, work very, very hard, but they also put their lives on the line to save others, and we owe it to them to do that.

I think the amendments that are being proposed here would bring the Fire Protection and Prevention Act into greater alignment with the Labour Relations Act and provide additional tools to resolve disputes, again, reducing remedies that are required through the courts. That’s what I meant when I said that it was pragmatic at the outset of my remarks. We need to resolve these concerns; we need to resolve disputes and provide remedies. But to the extent that we can minimize the burden on the courts and to the extent that we can still resolve those disputes in an effective way, I think that’s excellent.

When I think about some of the things that are in the bill with regard to firefighters, there are a few that I’d like to highlight. Again, the proposed amendments would enhance the Fire Protection and Prevention Act by adding key legislative provisions that are already available to those covered by the Labour Relations Act—this is just aligning those two pieces of legislation—things like unfair labour practice protections, expedited grievance arbitration and religious exemptions.

The Ontario Labour Relations Board: It would give it the authority to enforce all provisions under part IX of the FPPA. So, again, this is an example of being pragmatic; bringing the Ontario Labour Relations Board into this, again, will presumably allow these disputes to get resolved more quickly than they would be otherwise, potentially. It gives the power of an arbitrator to enforce a written settlement of a grievance etc.

These are all things that align the FPPA, the Fire Protection and Prevention Act, with the Labour Relations Act, and afford firefighters the same protections that other folks enjoy, which is only fair and appropriate.

I also wanted to briefly mention that there’s another element of the bill which I know some of my colleagues will undoubtedly speak to, which is the safeguards that are put in place to protect workers across the province; first of all, that workers know what their rights are with respect to filing a WSIB claim and that these rights will be protected. That’s really, really important. It would prohibit employers from taking any actions against a worker with the intent of discouraging that worker from filing a claim. The worker has the right to file a claim. That has to be protected, and this bill helps to do that.

This bill would also provide greater fairness to survivors in the case of work-related death. It would enable the WSIB to calculate survivor benefits based on the average earnings of the worker engaged in the same profession out of which that deceased worker’s injury arose. This is important because—and, Speaker, I’ve had constituents come to me on this—you don’t want to calculate the WSIB benefits at the time of the diagnosis because, at that point, their incomes are often lower, or they’re even retired. Of course, as a result, the benefits paid out are a lot smaller than they probably should be.

I think that this is a bill that ensures fairness for our firefighters. It protects workers and ensures that the concerns that workers have, whether they be firefighters or workers in other fields across the province, are protected, but it’s done in a pragmatic and effective way to serve those people even more.

**The Acting Speaker (Mr. Paul Miller):** Member from Barrie.

**Ms. Ann Hoggarth:** As the PA to Minister Flynn, I’m pleased to speak in favour of this bill. There has been a lot of work that has gone into this bill. All of us know that our constituency offices get calls about these issues, and there is an issue of fairness that needed to be addressed.

If passed, Bill 109 would amend three acts affecting workers to increase fairness and efficiency. These acts

are the Fire Protection and Prevention Act, 1997; the Workplace Safety and Insurance Act, 1997; and the Public Sector Labour Relations Transition Act, 1997. As we all know, the workplace has changed significantly since 1997; that's almost 20 years ago.

Changes under this bill would, if they become law, provide increased fairness to all workers across Ontario. This would be done by providing more tools to resolve disputes in the fire sector; ensuring that broader public sector transitions go as smoothly as possible through greater efficiency and stability; and helping to provide a fair, just and efficient workers' compensation system.

Strengthening protection for workers while supporting business is part of this government's plan to build Ontario up. Bill 109 is one more example of our commitment to the people of this province.

Our government is committed to protecting Ontario's firefighters, the brave men and women who selflessly put their lives in danger each and every day to ensure that the rest of us are safe. In my riding of Barrie, a few years ago, unfortunately, there was an accident; a roof caved in and we had a firefighter lose his life. His name was Bill Wilkins. The community still grieves the passing of Bill. We want to put things in place so that when those kinds of things happen, there is fairness involved.

The amendments we are proposing, if passed, would bring the Fire Protection and Prevention Act into greater alignment with the Labour Relations Act and provide additional tools to resolve disputes, reducing the need to seek remedies through the courts. As we all know, anything that goes through the courts takes a lot of time and a lot of money. We would like to cut down on the time and the expenses.

Specifically, the amendments would enhance the FPPA by adding very similar, key legislative provisions already covered and provided for in the Labour Relations Act, 1995.

1710

A few examples of this are things like unfair labour practice protections; expedited grievance arbitration; union security and related provisions; religious objections; Ontario Labour Relations Board authority to enforce all provisions under part 9 of the FPPA; the power of an arbitrator to enforce a written statement of a grievance—this is very important; the ability of the parties to file an arbitration decision in the Superior Court of Justice and have it enforced as an order of that court; and, finally, the power of the Ontario Labour Relations Board to grant interim orders.

Our firefighters sacrifice so much to help keep Ontarians safe, and we are grateful for all the work that they do. In return, it is up to us to ensure that they, too, are protected. Firefighters deserve and should have these rights and protections afforded by the Labour Relations Act.

Bill 109 would provide greater safeguards to all workers in the province. Through making changes to the Workplace Safety and Insurance Act, these amendments, if passed, would do four main things. The first is to

ensure that workers know that it is their right to file a WSIB claim and that this right will be protected. If passed, this bill will prohibit employers from taking any actions against a worker with the intent of discouraging the worker from filing a claim or influencing a worker to withdraw or abandon a claim for benefits for work-related injuries or illnesses with the Workplace Safety and Insurance Board. This would allow the WSIB to prosecute and impose administrative penalties when employers try to impede or suppress claims. This would strengthen the WSIB's efforts by legislating stronger deterrents against employers attempting to impede the reporting of a work-related injury or illness to the WSIB by a worker.

Secondly, we must do all that we can to make sure workers are protected. That's why we are proposing an increase in the maximum corporate penalties for conviction of an offence under the WSIA.

I urge you to support this bill. I think it's a good thing for all the workers in the province.

**Mrs. Cristina Martins:** It's my pleasure to rise today to address Bill 109, the Employment and Labour Statute Law Amendment Act. In my riding of Davenport, people come into my constituency office every day with questions about workplace safety and what our government has been doing to make Ontario a better place to live and to work. As you know, our government is committed to protecting all those who work in the province, and it is our duty as a government to ensure that all Ontarians work in a safe environment.

Bill 109 aims to accomplish three critical measures: to provide more tools to resolve disputes in the fire sector; to provide fair, just and efficient workers' compensation systems; and to ensure that broader public sector transitions go as smoothly as possible through greater efficiency and stability. If passed, Bill 109 would amend three separate acts affecting workers to increase fairness and efficiency to all workers across Ontario. These acts are the Fire Protection and Prevention Act, the Workplace Safety and Insurance Act and the Public Sector Labour Relations Transition Act.

Under the Fire Protection and Prevention Act, Bill 109 would provide improvements to the provisions already covered by the Labour Relations Act. Most importantly, the bill would provide more tools to resolve disputes regarding unfair labour practices, expedited grievance arbitration, union security and related provisions. As well, the proposed bill will give parties the ability to file an arbitration decision and have it enforced by the courts, and give the Ontario Labour Relations Board the ability to grant interim orders.

Mr. Speaker, our firefighters sacrifice so much to keep Ontarians safe and we are grateful for all the work that they do. In return, it is our obligation to ensure that they, too, are protected. Bill 109 is part of this commitment.

Under the Workplace Safety and Insurance Act, Bill 109 would have positive effects for workers in Ontario in the following ways: First, it will ensure that workers know that it is their right to file a WSIB claim and that

this right will be protected from manipulation, impediments or suppression of a claim by their employer. This is very important for the constituents I represent in Davenport. Many of them are new to this country. They do not have English as a second language, and some of them are fearful of what will happen to them should they put forth a claim. This will protect them and ensure that their claim is not suppressed by an employer.

Secondly, the proposed bill will increase the maximum corporate penalty for conviction of an offence under the WSIA from \$100,000 to \$500,000. This increase is consistent with the maximum fines for corporations under the Occupational Health and Safety Act.

Thirdly, Bill 109 would provide greater fairness for survivors in case of work-related death.

Finally, the amendments proposed to the WSIA through Bill 109 would enshrine the Fair Practices Commission in legislation. The Fair Practices Commission is an important independent and confidential resource that looks into individual complaints, tracks complaint trends, identifies system-wide issues and recommends improvements to the WSIB.

With stronger protection for workers that also supports businesses, this bill will assist with our government's plan to build Ontario up.

The final element of Bill 109 contains legislative amendments to the Public Sector Labour Relations Transition Act. This amendment will clarify the relationship between unions in places where there is an amalgamation of hospital, school or municipal workers. If passed, this legislation will remove a redundant vote in situations where one union has no less than 60% of the workers. The exact percentage will be set by further regulation. These amendments would greatly reduce the potential delay and disruption associated with a vote, remove the large associated cost and contribute to more harmonious labour relations in the workplace.

As I stated above, strengthening protection for workers while supporting businesses is part of this government's plan to build Ontario up. Once passed, I will be pleased to bring Bill 109, the Employment and Labour Statute Law Amendment Act, to Davenport, as it will have positive effects on the talented and hard-working men and women in my riding.

**The Acting Speaker (Mr. Paul Miller):** The member from Durham.

**Mr. Granville Anderson:** Mr. Speaker, I would like to thank the member from Etobicoke Centre, the member from Barrie and the member from Davenport. I'd also like to compliment those who have previously spoken to this bill.

I am looking forward to speaking to this legislation today, as I've had years of experience working with WSIA and I've also worked with the Office of the Worker Adviser representing injured workers. I know many people who will benefit from this legislation, as well as many instances of abuse of the Workplace Safety and Insurance Act.

I am glad that the Fire Protection and Prevention Act is being reviewed to ensure the safety of all firefighters, and that the Public Sector Labour Relations Transition Act is being streamlined to help union amalgamation—only when that amalgamation is absolutely necessary, I must add.

However, my primary experience and enthusiasm is for the addition of subsection 22(1) of the WSIA. My primary concern for the operation of the WSIA is the phenomenon of claim suppression, which this bill addresses. The idea that employers are incentivizing or threatening employees for the purpose of discouraging them from filing a claim with the WSIB is rather unfortunate and goes against the safety and well-being of Ontario workers.

An example of this practice is an employer offering an employee paid leave in lieu of the employee filing a WSIB claim. In addition, the employer offered the employee team members end-of-year bonuses if they collectively refrained from filing claims with the WSIB. Accordingly, not only had this employer put the well-being of this man or woman in jeopardy, but also created a workplace culture that was hostile toward anyone who may be injured and wished to pursue a WSIB claim, which is their legal right and they're entitled to do so.

If we put ourselves in these employees' shoes, it is difficult to stand in the way of their colleagues' bonuses. When an employee doesn't want to receive a bonus at the end of the year? This practice completely ignored the ethics of safe employment and ignored the long-term impact of workplace injuries on employees. If the employee in this instance were to suffer chronic pain or illness that may arise from his injury that perhaps presented itself years down the road, what recourse would he have without a WSIB claim as evidence, or any record of the incident of that matter? What protection would be available to him in a case where an employer is at fault, suppressing claims in this duplicitous way of preventing short-term impact on its WSIB record, which in turn put the lives of their employees at risk? And this happens. It's not only putting this employee at risk, working with an injury, but it also puts co-workers at risk because the worker cannot work to his or her full potential because of the injury that was sustained.

**1720**

Employees who refrain from filing WSIB claims under these circumstances are unknowingly putting themselves at risk for any potential injuries that may not be attributed to the work environment that led to such injuries. Claim suppression is an unfortunate practice through which employers have the ability to avoid the responsibility of the safety of their employees, a practice which I am wholly against.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Randy Hillier:** I listened to the four members share the 20-minute rotation, and what is abundantly clear is that no Liberal member actually reads the bill, and all they have is a talking point, because what was

interesting, Speaker, four different members got up and spoke and not one of them—of the three subsequent members who spoke, not one of them raised a new point that the first member had not covered in his first five-minute rotation.

I find it incredible that, with all the resources and all the power at the disposal of the Liberal government, the Premier's office could only come up with five minutes' worth of talking points to be distributed between all the Liberal members on the other side of the House. I know they have some quality staff over there. I know they have imaginative, creative staff over there. I find it very, very troubling that they're not using these highly paid resources to come up with more than five minutes' worth of talking points to be distributed between a 58-member caucus, or whatever it is.

So, Speaker, four different members, and not one of the subsequent speakers raised one iota of a new subject on the bill. This is a powerfully, powerfully important—

*Interjections.*

**The Acting Speaker (Mr. Paul Miller):** Stop the clock. I don't want to take your time.

I know you don't like what he's saying, and he's certainly roused you up, but try to cut it back a bit so I can hear what he's saying in case he says something that you don't like that I can challenge him on. I can't hear him.

Continue.

**Mr. Randy Hillier:** Thank you, Speaker, for that interjection because it clearly was getting the howls and the hackles up on the other side.

But I would challenge every member on the other side to actually read the Hansard as well as the bill, and they will see that what I am saying is very factual, very truthful, and reading the bill is not a bad thing to do, in my view.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Wayne Gates:** You know, it's funny. I'm going to have to give the Conservatives some credit on this because on the five minutes that you did talk and you shared and, yesterday, the one thing that was very clear—it's clear with the Conservatives, it's clear with the Liberals, and it's clear from the NDP: We all support Bill 199 with respect to firefighters.

**Ms. Soo Wong:** Bill 109.

**Mr. Wayne Gates:** Bill 109. So are we not making that separate? That's my local. That's why I said that. It used to be my old local.

**The Acting Speaker (Mr. Paul Miller):** You'll talk through the Chair.

**Mr. Wayne Gates:** Yeah, okay.

**The Acting Speaker (Mr. Paul Miller):** Not "Yeah, okay." You will talk through the Chair and answer properly.

Continue.

**Mr. Wayne Gates:** Thanks, Mr. Speaker. Now I forgot where I was.

On the firefighters, why are we putting them in that position? Why are we putting firefighters against other locals, other unions, other workers right across the province of Ontario? We all respect firefighters. We all want that to happen. Why do we not pull that out of the bill?

When it comes to my colleague who talked about the WSIB, it's been going on forever, where employers are telling employees, "Don't report. We'll give you a shirt at the end of the month. We'll give you a free dinner, but don't report your injury." That part is very good, and it's good that we're finally addressing it, because the WSIB has been broken for years. We have so many of our constituents come into our office and talk about the problems with WSIB and employers taking advantage of it.

The last thing I want to talk to really quick is CarePartners. If you care about labour, if you care about workers, I'm asking you: Go to the Minister of Health and please ask him to get involved with the CarePartners situation, where they've been put on strike for six months. Nurses just want to do their job. Go to this private company and say, "Get to the table and get a contract."

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Ms. Soo Wong:** I'm pleased to rise this afternoon in support of Bill 109. I know my colleagues from Davenport, Barrie and Durham have spoken so passionately about the bill, but one piece of the bill that I want to highlight is section 176.1 dealing the creation of the fair practices commissioner. Hopefully the member opposite is listening intently.

The issue here is the fact that the fair practices commissioner—I heard that the member from Niagara has expressed concern about the role of the WSIB. The creation of this commissioner will ensure fair practices in terms of the treatment of workers when it comes to WSIB claims. But more importantly, it will provide an opportunity for this ombudsperson to do a yearly report to the WSIB of activities and concerns raised throughout the year—tracking of complaints, identifying systemic issues—and how to improve the WSIB.

Mr. Speaker, this is the right thing to do. I know the government already passed legislation about creating a patient ombudsman. Now we're going to be providing, through this legislation, a fair practices commissioner, to ensure every complainant who deals with the WSIB will be treated fairly and with respect. I know the member from Niagara Falls, who spoke so eloquently a minute ago, was talking about different complaints about the WSIB. I get them all the time in Scarborough—Agincourt. Finally, we're going to have a commissioner that will address these issues—and, more importantly, to be dealt with, especially if they're concerns identified by a complainant.

I understand that other provinces have similar commissioners: British Columbia, Saskatchewan and Manitoba. The provinces of Saskatchewan and Manitoba actually have this requirement in law.

At the end of the day, this is what the law is about: protecting all Ontarians and championing their concerns.

**The Acting Speaker (Mr. Paul Miller):** Questions and comments?

**Mr. Rick Nicholls:** I'm pleased to rise and chat a little bit about this particular Bill 109. First of all, I just want to indicate to the Legislature that we, the PCs, are definitely in favour of this bill at second reading, but we also feel, though, that there needs to be more public hearings a little bit later on, because I'm sure there will be some changes that we would like to see incorporated into this bill at later points in time.

We also support fair labour laws here in the province of Ontario. We believe, and I'm sure that others in this House also believe, that there needs to be a balance that represents the rights of workers but also the needs of employers as well. We need to grow the economy and we need to create good-paying jobs, too, by the way. What we need to do is strengthen Ontario's competitiveness. If we do that, then we have more businesses coming in and we have more people employed, and that's really what it's all about.

We're also very much in favour of protecting workers and workers' right as well. Again, we do value the work done by our firefighters. To me, our firefighters, our emergency response people, are the heroes of this society as well. They risk their lives, where many of us in our own roles—not quite so much.

1730

But I wanted to point out something. I heard one of the members from the government side talk about the bad practices of some of the businesses, and I want to bring to your attention a gentleman by the name of Les Liversidge; forgive me if I attacked his name. He's a respected expert on WSIB. Apparently, he's opposed to WSIB because he feels that it's trying to address a problem that really doesn't exist, and that is—very quickly—his independent research shows that malicious employers are non-existent in Ontario.

I respect what the other member had to say.

**The Acting Speaker (Mr. Paul Miller):** The member from Barrie has two minutes.

**Ms. Ann Hoggarth:** I think we can all agree, whether we repeated things over and over or not, that this legislation is very important. We need to be fair to all the workers in the province. We all agree that WSIB is in need of repair. Things need to happen more quickly and more fairly; there needs to be a way of doing that. This legislation puts in place things not only for the firefighters but for other workers. It reduces delay and causes less stress for the person who goes through it.

In my former job as union thug, as people would say, I dealt with a lot of people who had a great deal of problems with WSIB. Unfortunately, it throws their whole lives into chaos. Very clearly, we don't want that to happen. We want the process to be done as quickly as possible and as fairly as possible. These are people who have lives that do not need further disruption when they've been injured, or the families of the people who

have passed away from workplace accidents or illness. Very clearly there are a lot of jobs that we did not know in the past cause chronic illnesses and conditions that result in disability or death. We want to make sure that their disputes are resolved as quickly as possible. I urge you to support this bill.

**The Acting Speaker (Mr. Paul Miller):** Further debate?

**Mr. Randy Hillier:** It's a pleasure to speak to Bill 109 this afternoon. It was also very interesting, as I heard the parliamentary assistant wrap up her debate, her comments, that she referred to herself as a union thug in her past life. It's not too often we've heard members in this House refer to themselves as union thugs, but that one will be memorable and one that I'm sure many of us will use on a multitude of occasions down the road.

I mentioned in my comments during the earlier speaker that there were four Liberal speakers who all said the same thing. After the first speaker, they shared their time and they all said the same thing. Why I brought that to the House's attention—of course, we know in this House that the standing orders prohibit and prevent anyone speaking to a bill more than once. The purpose of that standing order is to prevent repetitive, redundant and frivolous comments in the House. I think what the Liberals just did was in breach of the standing orders because they all said the exact, repetitive, redundant—

**Mr. Lou Rinaldi:** Point of order.

**The Acting Speaker (Mr. Paul Miller):** Point of order from the member from Northumberland—Quinte West.

**Mr. Lou Rinaldi:** I would hope and recognize that the member needs to come back and speak about Bill 109.

**The Acting Speaker (Mr. Paul Miller):** Yes, it's true. In reference to the point of order, if you feel they violated something, you might want to do a point of order as opposed to making a comment about what they should or shouldn't do with a point of order, because that would be my decision.

Continue.

**Mr. Randy Hillier:** Thank you, Speaker. I had no intention of raising the matter as a point of order. I was bringing to it the members' attention that an interpretation could be looked at in understanding the rationale behind that standing order.

Speaker, I also mentioned that it was clear that no member on the Liberal side, including the parliamentary assistant, had actually read the legislation, and that, with all their resources, all their expensive communications people, the best they could do is come up with five minutes' worth of talking points. So—

**The Acting Speaker (Mr. Paul Miller):** Another point of order from the member from Northumberland—Quinte West.

**Mr. Lou Rinaldi:** Obviously, the member has a challenge hearing you give him direction.

**The Acting Speaker (Mr. Paul Miller):** Well, if I felt that he was challenging me, he certainly would have heard from me very quickly, thank you. But I do believe



he is trying to get around the issue with other discussion. The bottom line is, I haven't found anything out of order, so go ahead.

**Mr. Randy Hillier:** Thank you, Speaker. You're always a fair and impartial judge of the activities within the House.

There are three sections to this bill. I'm going to start on section 3, the WSIB schedule of this bill, because there's little disagreement, little argument, about schedule 1. Schedule 1 brings the firefighters' labour legislation pretty much in line with all other labour legislation in the province. So I'll start with schedule 3, with the WSIB.

It surely is known by all members in this House that the WSIB is a problematic, troublesome and some would often say—with justification—a dysfunctional agency of this government. We have all heard and seen, observed and advocated for constituents who have found their dealings with the WSIB very, very troublesome. And not just employees, but also employers. It doesn't serve either very well very frequently.

What I want to bring to the attention of the House is section 3, 22.1(3). This is a new concept that's included in this schedule. It's the creation of an administrative penalty. It reads, "An employer who contravenes subsection (1) shall pay the prescribed amount to the board. This payment is in addition to any penalty imposed by a court for an offence under section 155.1."

If you go to section 155.1, "An employer who contravenes section 22.1 is guilty of an offence," and that's where we get the increase from a \$100,000 fine to a \$500,000 fine under section 155.1, a fivefold increase. It's a pretty substantial increase.

Then, on top of that, we have this administrative penalty. What the administrative penalty doesn't state is how much. It's vacant. It's absent. But we also know that the difference between an offence and an administrative monetary penalty is that there is no defence against an administrative monetary penalty, whereas under the provincial offences you can defend yourself. You can defend yourself on that offence that has up to a \$500,000 fine attached to it, but you cannot defend yourself under section 3, against an unknown monetary penalty. I think it's incumbent upon the government to give some clarification, both to this House and, indeed, when the bill passes, what sort of penalty would be applied under 22.1(3). Is it a \$100 penalty? Is it a \$5,000 penalty? Is it a \$5-million penalty? Just what is 22.1(3) going to do?

I also want to raise to the attention of the members here that under 48.1(2) in schedule 3—I've had some personal experience with this, on WSIB determining earnings. I'll read from the bill on 48.1(2): "taking into account the average earnings at the time of the worker's injury," to determine benefits. What it doesn't say is, what is the duration that this panel is going to look at? Is it going to look at the average earnings for a week prior to the injury? Is it going to be looking at it for a month prior? A month after? A year? What is the duration that the arbitrator and the adjudicator are going to look at to determine the average earnings?

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I had a case of that this summer, where a gentleman who was a contractor had an injury. He filed his claim under the provisions of Bill 119, and initially his average earnings were determined to be \$150 a week, because he didn't work for the two weeks prior to his injury. He had just come back to work. WSIB looks at this and says, "Well, you didn't make any money in that two weeks, or very little, so we're going to define your earnings at \$150 and that's your reimbursable benefits."

Speaker, the way this bill is written is faulty. We need to attach a time frame on it, so that the adjudicators looking at these claims down the road will have some guidance from this House. I think looking at those average earnings is a good way, but I don't think they should be looking at the average earnings when there's an absence of definitive information for that person specifically—looking at those things that are maybe holidays, maybe other elements that we're not quite aware of or don't know what is going to happen.

Those are a couple of things under schedule 3 that I would like to hear—it's unfortunate, I guess, that the parliamentary assistant has already used up her talking points and she won't be able to respond to my questions on schedule 3. But maybe somebody else who hasn't got their talking points at the present time yet could formulate a response.

So that's WSIB. We also then look at schedule 2. Schedule 2 is a pretty brief section of the bill; it's one page. I know it's a page that has garnered the interest of the third party substantially, and they are opposed to this. I can understand them being opposed to it. I'm opposed to that provision as well. I find it difficult to believe their rationale and their justification, but I will say this: Under schedule 2, if two or more unions and the membership of those two or more bargaining units are looking for an amalgamation, it becomes deemed that the largest one, if it has 60% or more of the workplace, will be deemed to be the bargaining unit, and employees and union members will not have a choice in the matter. I think that is wrong.

I always believe that we get better decisions in life and a better society when people have the ability to exercise a choice, exercise their judgment and determine what they want to do—not unlike an election. Sometimes we don't even like the results of elections, but the process is good, it's solid and it's legitimate. We can respect it, right? People made a choice. The government, under schedule 2, is taking away the choice. That's significant.

Where I have difficulty with the third party on this—and I listened to the member from Welland intently in her hour-long leadoff. In her speech, she was talking about the need for greater card-based certification. Of course, card-based certification doesn't allow for a vote. It doesn't allow for a secret ballot. It's just done. If you can prove cards were signed, then you can have a bargaining unit imposed. So, they're desirous of voting for amalgamations but not desirous of voting for the formulation or the creation of a bargaining unit.

Voting is important. We need to remain steadfast in our advocacy of that essential principle, in a fair and just democracy, that people have a choice, that they can exercise it freely, that they can exercise it when it comes with respect to a ballot, and that they can exercise it in secret, free from any reprisal or any retribution or intimidation or coercion.

In the five-minute talking points that we heard from the four different Liberal members, I did not hear them once address the need or the rationale of why they should take away the rights of choice for union members when there's an amalgamation of multiple bargaining units. Maybe somebody up in the corner office who has that creative writing style and imagination could develop some talking points in that regard, and the next four members who share a 20-minute rotation could explain that to us, as well.

Then we come to schedule 1. Schedule 1 is a very simple and appropriate schedule. It really does—and I'll have to agree with the Liberal members—align the firefighters with the other labour provisions of the labour legislation. There's not much to be critical of, I don't believe, in large part. Firefighters ought to have the same protection of the law as other employees; I don't think anything unduly more and certainly not less. They should have the same equal provisions and protection of the law.

However—there's always a “however” with a Liberal schedule—in schedule 1 of the bill, page 10, subsection 5: “With respect to the board”—this is the board which is going to adjudicate and determine disputes—“the power to make interim orders under this section applies instead of the power under subsection 16.1(1) of the Statutory Powers Procedure Act.”

Just for some context: The Statutory Powers Procedure Act is the general framework that all our administrative tribunals and all our adjudicative panels work under. That's the statute that gives the authority to and places the responsibility on the tribunals to act somewhat like a court, so that there can be due process of law and a recognition that, when we abide by due process of law, we get better remedies. We get a better probability of justice in the outcome. But for some reason, this board is not going to have to play by the same rules as all other

boards. It doesn't have to abide by the Statutory Powers Procedure Act.

So those are some of my criticisms of the bill. Schedule 1: pretty good—one little question in there on the boards that somebody may or may not respond to.

I do have to make one more comment. When I heard the earlier debate, the member for Northumberland–Quinte West as well as a number of others mentioned about getting this bill to committee: “We'll examine it and we'll make amendments.” Well, what a fairy tale that is. The member from Northumberland–Quinte West has been here—even though he had a little bit of an intermission in his tenure—for a while, so he is experienced and he's knowledgeable about how things work here. In my eight years here—and I've attended many, many committee hearings—I have seen two amendments get passed. The idea that amendments are going to be adopted by the Liberal majority government? What? Any moment now, a unicorn's going to start trotting in here. I absolutely believe that there will be unicorns and pixie dust the day that amendments are going to be accepted by the Liberal majority government and voted on in a rational, intelligent, informed fashion. It doesn't happen.

But we see what's going to happen with this bill. It's the same play that we've seen on just about all bills this session. The really non-substantive bills—well, they're all non-substantive, generally, from the Liberal Party. However, they will divide on every 20-minute rotation and they will all say the same thing. They will then seek closure on the bill as soon as six hours is up and say, “All our speakers, all our members had their voice. It's time to close off debate. There's no further need for any discussion.” We've seen this play time and time again. And then they'll get to the committee and they will restrict and prevent the public from making deputations, as we've seen—five minutes.

Speaker, I could go on, but I'm not going to. I'll wait for the committee. I'll bring some amendments forward and wait for the unicorns.

*Second reading debate deemed adjourned.*

**The Acting Speaker (Mr. Paul Miller):** The clock being six to 6, this House stands adjourned until 9 o'clock tomorrow morning.

*The House adjourned at 1753.*

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Pettapiece, Randy (PC) Potts, Arthur (LIB) Qaadri, Shafiq (LIB) Rinaldi, Lou (LIB) <b>Sandals, Hon. / L'hon. Liz (LIB)</b> Sattler, Peggy (NDP) Scott, Laurie (PC)	Perth–Wellington Beaches–East York Etobicoke North / Etobicoke-Nord Northumberland–Quinte West Guelph London West / London-Ouest Haliburton–Kawartha Lakes–Brock	Minister of Education / Ministre de l'Éducation Deputy Opposition House Leader / Leader parlementaire adjointe de l'opposition officielle
<b>Sergio, Hon. / L'hon. Mario (LIB)</b>	York West / York-Ouest	Minister Responsible for Seniors Affairs Minister Without Portfolio / Ministre sans portefeuille Deputy Leader, Recognized Party / Chef adjoint du gouvernement
Singh, Jagmeet (NDP) Smith, Todd (PC) <b>Sousa, Hon. / L'hon. Charles (LIB)</b> Tabuns, Peter (NDP) Takhar, Harinder S. (LIB) Taylor, Monique (NDP) Thibeault, Glenn (LIB) Thompson, Lisa M. (PC) Vanthof, John (NDP) Vernile, Daiene (LIB) Walker, Bill (PC) Wilson, Jim (PC)	Bramalea–Gore–Malton Prince Edward–Hastings Mississauga South / Mississauga-Sud Toronto–Danforth Mississauga–Erindale Hamilton Mountain Sudbury Huron–Bruce Timiskaming–Cochrane Kitchener Centre / Kitchener-Centre Bruce–Grey–Owen Sound Simcoe–Grey	Minister of Finance / Ministre des Finances Opposition House Leader / Leader parlementaire de l'opposition officielle
Wong, Soo (LIB) <b>Wynne, Hon. / L'hon. Kathleen O. (LIB)</b>	Scarborough–Agincourt Don Valley West / Don Valley-Ouest	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Première ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
Yakabuski, John (PC) Yurek, Jeff (PC) <b>Zimmer, Hon. / L'hon. David (LIB)</b> Vacant	Renfrew–Nipissing–Pembroke Elgin–Middlesex–London Willowdale Whitby–Oshawa	Minister of Aboriginal Affairs / Ministre des Affaires autochtones

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
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Vice-Chair / Vice-présidente: Monique Taylor  
Bas Balkissoon, Chris Ballard  
Grant Crack, Cheri DiNovo  
Han Dong, Michael Harris  
Sophie Kiwala, Todd Smith  
Monique Taylor  
Committee Clerk / Greffier / Greffière: Christopher Tyrell

**Standing Committee on Finance and Economic Affairs /  
Comité permanent des finances et des affaires économiques**

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Vice-Chair / Vice-président: Peter Z. Milczyn  
Laura Albanese, Yvan Baker  
Toby Barrett, Victor Fedeli  
Catherine Fife, Ann Hoggarth  
Peter Z. Milczyn, Daiene Vernile  
Soo Wong  
Committee Clerk / Greffier: Katch Koch

**Standing Committee on General Government / Comité  
permanent des affaires gouvernementales**

Chair / Président: Grant Crack  
Vice-Chair / Vice-président: Joe Dickson  
Mike Colle, Grant Crack  
Joe Dickson, Lisa Gretzky  
Ann Hoggarth, Sophie Kiwala  
Jim McDonell, Eleanor McMahon  
Lisa M. Thompson  
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Government Agencies / Comité  
permanent des organismes gouvernementaux**

Chair / Président: John Fraser  
Vice-Chair / Vice-présidente: Cristina Martins  
Robert Bailey, Vic Dhillon  
John Fraser, Wayne Gates  
Marie-France Lalonde, Harinder Malhi  
Cristina Martins, Randy Pettapiece  
Lou Rinaldi  
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Justice Policy / Comité permanent de  
la justice**

Chair / Président: Shafiq Qadri  
Vice-Chair / Vice-président: Lorenzo Berardinetti  
Lorenzo Berardinetti, Bob Delaney  
Randy Hillier, Michael Mantha  
Cristina Martins, Indira Naidoo-Harris  
Arthur Potts, Shafiq Qadri  
Laurie Scott  
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on the Legislative Assembly / Comité  
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Vice-Chair / Vice-président: Jack MacLaren  
Granville Anderson, Bas Balkissoon  
Chris Ballard, Steve Clark  
Jack MacLaren, Michael Mantha  
Eleanor McMahon, Monte McNaughton  
Soo Wong  
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Public Accounts / Comité permanent  
des comptes publics**

Chair / Président: Ernie Hardeman  
Vice-Chair / Vice-présidente: Lisa MacLeod  
Han Dong, John Fraser  
Ernie Hardeman, Percy Hatfield  
Lisa MacLeod, Harinder Malhi  
Julia Munro, Arthur Potts  
Lou Rinaldi  
Committee Clerk / Greffière: Valerie Quioc Lim

**Standing Committee on Regulations and Private Bills / Comité  
permanent des règlements et des projets de loi d'intérêt privé**

Chair / Présidente: Indira Naidoo-Harris  
Vice-Chair / Vice-présidente: Kathryn McGarry  
Lorenzo Berardinetti, Jennifer K. French  
Monte Kwinter, Amrit Mangat  
Kathryn McGarry, Indira Naidoo-Harris  
Daiene Vernile, Bill Walker  
Jeff Yurek  
Committee Clerk / Greffier / Greffière: Christopher Tyrell

**Standing Committee on Social Policy / Comité permanent de  
la politique sociale**

Chair / Président: Peter Tabuns  
Vice-Chair / Vice-président: Jagmeet Singh  
Granville Anderson, Vic Dhillon  
Amrit Mangat, Gila Martow  
Kathryn McGarry, Norm Miller  
Jagmeet Singh, Peter Tabuns  
Glenn Thibeault  
Committee Clerk / Greffière: Valerie Quioc Lim

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Comité spécial de la violence et du harcèlement à caractère  
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Chair / Présidente: Daiene Vernile  
Vice-Chair / Vice-présidente: Laurie Scott  
Han Dong, Sylvia Jones  
Marie-France Lalonde, Harinder Malhi  
Kathryn McGarry, Eleanor McMahon  
Taras Natyshak, Peggy Sattler  
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