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Assembly  
of Ontario



Assemblée  
législative  
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**Official Report  
of Debates  
(Hansard)**

G-8

**Journal  
des débats  
(Hansard)**

G-8

**Standing Committee on  
General Government**

Restoring Ontario's  
Competitiveness Act, 2019

1<sup>st</sup> Session  
42<sup>nd</sup> Parliament

Wednesday 20 March 2019

**Comité permanent des  
affaires gouvernementales**

Loi de 2019 visant à rétablir  
la compétitivité de l'Ontario

1<sup>re</sup> session  
42<sup>e</sup> législature

Mercredi 20 mars 2019

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Chair: Dave Smith  
Clerk: Julia Douglas

Président : Dave Smith  
Greffière : Julia Douglas

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON  
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES**

Wednesday 20 March 2019

Mercredi 20 mars 2019

*The committee met at 0900 in committee room 2.*

**RESTORING ONTARIO'S  
COMPETITIVENESS ACT, 2019  
LOI DE 2019 VISANT À RÉTABLIR  
LA COMPÉTITIVITÉ DE L'ONTARIO**

Consideration of the following bill:

Bill 66, An Act to restore Ontario's competitiveness by amending or repealing certain Acts / Projet de loi 66, Loi visant à rétablir la compétitivité de l'Ontario en modifiant ou en abrogeant certaines lois.

**The Chair (Mr. Dave Smith):** Good morning. The Standing Committee on General Government will now come to order. We're here for clause-by-clause consideration of Bill 66, An Act to restore Ontario's competitiveness by amending or repealing certain Acts. Catherine Oh from legislative counsel is here to assist the committee.

You've each been provided with a copy of the bill and the package of amendments, which are numbered in the order in which they would appear in the bill. We'll be proceeding section by section and schedule by schedule. Please note that within schedules of the bill, there are a number of sections. I would propose that consecutive sections with no amendments be bundled together, unless any member would like to vote on a section separately.

Bill 66 consists of three sections and 12 schedules. Because the substance of the bill is in the schedules, I suggest that we postpone consideration of the three sections and deal with the schedules first. This will allow the committee to consider the contents of the schedules before dealing with the sections on the commencement and short title of the bill. Do we have unanimous consent to postpone consideration of sections 1 to 3, to deal with the schedules first?

**Ms. Catherine Fife:** Chair, can you just please clarify which schedules you want to postpone until after?

**The Chair (Mr. Dave Smith):** Sections.

**Ms. Catherine Fife:** Sections?

**The Chair (Mr. Dave Smith):** The first sections that refer to—if you take the bill out—

**Ms. Catherine Fife:** I've got the bill.

**The Chair (Mr. Dave Smith):** On the first page, after the explanatory note. If you look in the bill—

**Ms. Catherine Fife:** I have this bill. You're talking about the table of contents?

*Interjection.*

**Ms. Catherine Fife:** Oh, that's fine. Thanks for the clarification.

**The Chair (Mr. Dave Smith):** Not a problem.

**Ms. Catherine Fife:** Agreed.

**Interjections:** Agreed.

**The Chair (Mr. Dave Smith):** Thank you.

Before we proceed, I'd like to allow some brief comments on the bill as a whole. Are there any comments? Ms. Fife.

**Ms. Catherine Fife:** On behalf of my colleagues, I would just like the government to fully understand that we feel very strongly that we did not have a sufficient amount of time to hear from the public on this bill. We are still receiving emails and correspondence and concerns from citizens across the province, not just on schedule 3 and schedule 5, which have garnered a lot of attention. Still, people feel very strongly that the fact that schedule 10 was even in Bill 66 is of great concern.

We heard a lot of testimony on Monday, particularly around schedule 9, and legal opinions that it would impact the next four years and, in fact, was precedent-setting for all unionized workers in the province of Ontario. When the carpenters' union came before us—you'll see it in your package—they made a comment that as soon as Bill 66 passes, if schedule 9 is not amended or is not completely pulled—which we feel is the best course of action, because you need more time to fully understand the impact of schedule 9 passing as it is currently crafted in Bill 66—the province will be embroiled in legal negotiations for the next four years. I would urge the government members to listen to the few numbers of delegations we had the opportunity to hear from.

On a bill this size, in the seven years that I've been here at Queen's Park, I've never seen such a short consultation process. That worries us as New Democrats, as the official opposition, because you are essentially moving forward with a bill that has not been fully vetted by the people we serve. We feel strongly about the process being a flawed process, and flawed processes often lead to flawed legislation.

**The Chair (Mr. Dave Smith):** Mr. Schreiner.

**Mr. Mike Schreiner:** I'm going to echo some of those comments and just say that I think that one of the important works that we do here is in committee. It's an opportunity for us to listen, hear the public and respond to the public. It was deeply disappointing that on Monday, particularly on schedule 9, we had members of the public

here offering amendments and suggested amendments to potentially protect the province from legal risk, and the deadline for submitting amendments was essentially 15 minutes after that presentation, making it virtually impossible for us as MPPs to do our job: to actually listen to the public, respond to their concerns and take an opportunity to make amendments to legislation—which I thought was the role that committees play—in order to strengthen this bill.

There are a number of schedules here where I feel that there might be opportunities for compromise and for ways in which we can address the concerns that the public have had, particularly on child care. We're receiving submissions even today on both sides of the child care issue. This is a schedule that directly affects the health and safety of our children, and we're not even given the opportunity to, as a committee, have a conversation around listening to the public's concerns and then having time to actually put forward proposed amendments to address some of those concerns.

I find it just deeply troubling that we would rush through a bill that is so large and that has such profound implications without providing adequate time for public input and for us to respond to that public input.

**The Chair (Mr. Dave Smith):** Are there any further comments? Seeing that there are none, let's go to schedule 1, then.

Schedule 1, sections 1 through 14: There are no proposed amendments. Could I have unanimous consent to bundle all 14 sections of schedule 1 together? Agreed? Thank you.

Is there any discussion on schedule 1, sections 1 through 14? Seeing no discussion, are the members ready to vote? Shall schedule 1, sections 1 through 14, carry? I declare that carried.

Any debate on schedule 1? Seeing none, shall schedule 1 carry?

**Ms. Christine Hogarth:** We're still on 1?

**The Chair (Mr. Dave Smith):** We're still on 1. Schedule 1 carries.

Schedule 2, section 1: There are no proposed amendments. Is there any debate on schedule 2, section 1? Mr. Arthur.

**Mr. Ian Arthur:** Thank you for the opportunity to speak to this. I just would like to draw attention again to the rushed nature of this. I understand the impetus behind this section of the bill and that there was redundant legislation, both at the municipal and the provincial area, but that was only in some areas, and the rushed nature of this has not allowed time for other municipalities to put in place those bylaws. So there is going to be a significant window for certain municipalities where they don't have those tools to give law enforcement an order to enforce this. My riding happens to be one of them. We do not have an equivalent bylaw on the books. They're going to have to bring one forward. Without that consultation, and again with the rushed manner in which this was put through, my riding has had no ability to catch up and make sure that they have the corresponding legislation that this is supposedly making redundant.

**The Chair (Mr. Dave Smith):** Any further debate? Ms. Fife.

**Ms. Catherine Fife:** I just want to reiterate that the chiefs of police for the province were not consulted on this piece of legislation. They have serious concerns around removing oversight on pawnbroker facilities. They've raised concerns about the tracking of stolen goods. And municipalities, including AMO, who came before the committee—they were one of the fortunate delegations to get on the list. They cited that this would leave them, at the local level, scrambling to find enforcement mechanisms.

There is no doubt that the Pawnbrokers Act needed to be updated and that it needed to be modernized, but altogether pulling it does not make sense. We oppose the repealing of this piece of legislation. You are absolutely leaving a void in the province of Ontario for enforcement mechanisms with regards to those establishments that call themselves pawnbrokers—or there are some other names for them. There are certainly jurisdictions, like Hamilton, for instance, where that city has been dealing with an increase in pawnbroker establishments.

**0910**

I just think it's irresponsible legislation to move to repeal the entire act and leave municipalities trying to scramble for solutions on this particular issue.

We've heard no justification from the government side on why repealing the Pawnbrokers Act must happen. It speaks to the entire nature of this piece of legislation, which is an omnibus piece of legislation. You've got pawnbroker legislation in with child care, in with toxic reductions and in with farming.

This is an irresponsible action. I would urge you to listen to the voices of those who are dealing with the consequences of not having enforcement mechanisms at the local level.

I would love to hear from the government, too, as to the justification of this repeal.

**The Chair (Mr. Dave Smith):** Further debate? Mr. Parsa.

**Mr. Michael Parsa:** Before we move on, I'd like unanimous consent to have all of the votes pertaining to Bill 66 be recorded votes, please.

**The Chair (Mr. Dave Smith):** That would have to be requested at each individual vote, unfortunately.

**Mr. Michael Parsa:** We can't have unanimous consent on all of them?

**The Chair (Mr. Dave Smith):** You can't have unanimous consent to do them all.

**Ms. Catherine Fife:** We were going to do it anyway, so it's all good.

**Mr. Peter Tabuns:** Yes, recorded votes—it's a good idea.

**Ms. Catherine Fife:** A good idea.

**Mr. Peter Tabuns:** I'm strongly in support.

**The Chair (Mr. Dave Smith):** Any further debate? Are the members ready to vote?

*Interjections.*

**The Chair (Mr. Dave Smith):** Recorded vote? Since this is a recorded vote—

**Mr. Peter Tabuns:** You're very subtle, Chair, but occasionally, we pick up on it.

**The Chair (Mr. Dave Smith):** Sorry, I can't ask you if you want a recorded vote. That's why I was pausing.

**Mr. Peter Tabuns:** No, absolutely. We look for the hand signals.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 2, section 1, carries.

Schedule 2, section 2: There is an amendment. Ms. Hogarth.

**Ms. Christine Hogarth:** I move that section 2 of schedule 2 to the bill be struck out and the following substituted:

“Personal Property Security Act

“2. Clause 4(1)(d) of the Personal Property Security Act is repealed and the following substituted:

“(d) to a transaction between a pledgor and a person who carries on the business of taking, by way of pawn or pledge, any article for the repayment of money lent on the basis of the pawn or pledge;”

**The Chair (Mr. Dave Smith):** Any discussion?

**Ms. Christine Hogarth:** This is just a housekeeping item.

**The Chair (Mr. Dave Smith):** Ms. Fife.

**Ms. Catherine Fife:** It's interesting that you call this a housekeeping item. It doesn't actually change the nature of the whole repeal of the Pawnbrokers Act. Do you have any other rationale for including this?

**The Chair (Mr. Dave Smith):** Ms. Hogarth.

**Ms. Christine Hogarth:** It just clarifies that a pawnbroker's transaction would not fall under personal property in the security act, which is the case right now.

**Ms. Catherine Fife:** That's part of the problem, though. You're doubling down on repealing the piece of legislation. We will not be supporting this amendment.

**The Chair (Mr. Dave Smith):** Any further debate? Are the members ready to vote?

**Ms. Catherine Fife:** Recorded vote.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** The motion carries. The motion, as amended, carries.

Shall schedule 2, section 2, as amended, carry?

*Interjections.*

**The Chair (Mr. Dave Smith):** Sorry, are the members ready to vote?

**Interjections:** Recorded vote.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** I declare schedule 2, section 2, as amended, carried.

Schedule 2, section 3: Is there any debate? Ms. Fife.

**Ms. Catherine Fife:** We've already stated that we don't support this, the repeal of the Pawnbrokers Act, so that stands. Recorded vote on this, please, Mr. Chair.

**The Chair (Mr. Dave Smith):** Any further debate?

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 2, section 3, has carried.

For schedule 2, is there any further debate? Mr. Schreiner.

**Mr. Mike Schreiner:** Yes. I'd just like to be on the record that I'm voting against schedule 2 precisely because we've had people, particularly AMO, come to us and give a delegation, saying that this could lead to increased criminal activity and the inability to track criminal activity.

I just find it deeply disappointing that the government would support such a schedule without doing due diligence about whether or not it's going to actually lead to additional criminal activity or the inability to track criminal activity. It seems like it's incumbent upon us, as responsible parliamentarians, to do our due diligence to make proper amendments to the modernization of the Pawnbrokers Act to ensure that we don't do it in a way that facilitates criminal activity.

**The Chair (Mr. Dave Smith):** Further debate? Mr. Arthur.

**Mr. Ian Arthur:** I just wanted to add, I think this is such a great example of rhetoric trumping sound policy. In the rampant need of this government to find so-called red tape, their red tape vendetta that they have, they found something where there is a little bit of overlap in some municipalities, but they have absolutely then gone and pursued something without consulting, without looking at what the repercussions of this are to communities like mine in Kingston and the Islands. It's reprehensible. You should not be pursuing stuff this quickly. The drive to cut

this red tape without thinking about the repercussions is overriding common sense. That's crazy.

**The Chair (Mr. Dave Smith):** Further debate? Ms. Fife.

**Ms. Catherine Fife:** I just want to get on the record that during our briefing, which was one hour, on one of the largest bills that I've seen go through this House, we confirmed with ministry staff that the government did not consult with police services, which have previously called for a stronger Pawnbrokers Act. Except for the pawnbrokers, no one has called for the repeal of the Pawnbrokers Act. Remembering, of course, that the name of this bill is Restoring Ontario's Competitiveness Act, this is not going to increase business. It doesn't instill confidence in the province of Ontario from a competitive perspective. It basically means that it's the Wild West now with regard to pawnbrokers, which can and do trade in stolen goods.

**The Chair (Mr. Dave Smith):** Any further debate? Mr. Tabuns.

**Mr. Peter Tabuns:** Just a slight disagreement with my colleague: It may not increase legitimate business, but the potential to increase criminal business is substantial. I'm surprised that a party that is really so strongly identified with the law and police would actually put something like this forward. Surprises continue to emerge on the scene. What can I say, Chair?

**The Chair (Mr. Dave Smith):** Any further debate? Seeing none, are the members ready to vote?

**Interjections:** Recorded vote.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 2, as amended, carries.

0920

Schedule 3: Since there are no amendments for schedule 3 from sections 1 to 6, could we have consent to bundle those together? Agreed.

Any discussion or debate on schedule 3? Mr. Tabuns.

**Mr. Peter Tabuns:** My colleague Ms. Fife will have a lot to say about this because she has very deep experience, but I just want to say to the members of the committee that they should be fully aware of what they're doing here. None of you were in the House when the Ombudsman's report Careless about Child Care came out after some fairly high-profile deaths of children in care. That was a real shock to all of us, not only because of the immediate report by the Ombudsman but also because, when you look back, there were decades of coroners' inquests into deaths in child care that had been ignored by the government of Ontario, leading to further deaths.

After all of those inquests, after the Ombudsman's report, which was scathing and which was used by the Conservatives and the NDP to beat the Liberals on the head with relentlessly for weeks, they brought forward something that moved towards a safer system. Yet today, you individuals are prepared to vote in favour of reducing protection for children in this province. It is extraordinary to me.

I am going to be asking for a recorded vote because I think people's names need to be attached to this. When the inquest happens further in the future—and I don't know whether it will be next year or 10 years from now—your names should be remembered because you will be complicit with putting children at risk.

I want to say, Mr. Kramp, that you made some good comments Monday about the situation in rural Ontario and the difficulty in providing care. I think that's a real problem. It's an issue that Ontario hasn't addressed and needs to. But where I disagree with you is that assuming that just because someone is a good person they will necessarily know how to properly look after children and ensure that all the safety systems are in place is not a fair assumption. Assuming that parents will know how to judge the quality and safety of child care is not a fair assumption, not because parents are unintelligent and not because they're uncaring, but because there's a lot to know and understand and assess to determine if a daycare operator is operating safely.

In my riding, in 2006, a very, very popular child care was shut down by the city of Toronto. It was a three-storey house with a wonderful woman who was running it—just beloved in the neighbourhood. She had about 20 kids in there, a number of whom were infants. The infants were all allowed to sleep on the third floor of that house. There were about six of them. The city's assessment, when they were called in, was that if there had been a fire, all of those children would have perished because there were not enough adults to get them out.

Those parents took their kids there because they had to go to work. They knew the woman was lovely. They didn't have the training or the time to assess and to understand the risk that their children were being put into. And yet you, today, are willing to go forward and reduce protection for children, which I find extraordinary—extraordinary.

I urge you to read the Ombudsman's report Careless About Child Care, because it shook all of us emotionally in this building. It really did. That's a number of years ago now; I don't know whether you read it then or not. But in this building, it was hot because of what it said.

I just want to note: In that period, the Toronto Star wrote a very good article, "Ontario Inquests Urge More Rules for Home Daycares." They report:

"In 1985, four children, ranging in age from five months to five years, along with their caregiver, died of smoke inhalation in a Bolton house fire.

"The unregulated home daycare operator, who was well known and respected in the community, was drunk and asleep when the fire started, the jury heard." Recommendations from that coroner's inquest were not acted on.



It went on. In 1997, another child dies in unregulated child care in Mount Albert, Ontario.

“In 2010, two-year-old Jérémie Audette drowned in a pool at an unregulated home daycare in Ottawa.” There were a number of unlicensed caregivers who came together for a playdate. I think there were about 20 kids. They didn’t keep track of them all. Jérémie went to the outdoor pool, which was not properly secured, and was found drowned in that pool, floating dead.

You have to have pretty strong regulations to protect children and their families, and it is unconscionable that you would reduce protection. Is it wise to invest more in protecting children? Absolutely. Is it wise to invest in enforcement to make sure the rules are followed? I don’t think that should be in question. But to actually reduce protection for kids and increase the chances that another round of coroners’ inquests will be held into why this child died—I don’t know how you are understanding this. I don’t know why the government sees this as helping competitiveness, because if you reduce people’s confidence in child care providers by not having rules that are reasonable and protective of children, you undermine parents’ confidence that they can go to work. It makes no sense to me. It is unconscionable.

In any event, I’ve said what I want to say. There needs to be a recorded vote. People need to know who did this when the inquest happens the next time.

**The Chair (Mr. Dave Smith):** Any further debate? Mr. Arthur.

**Mr. Ian Arthur:** I’d like to thank MPP Tabuns for the points that he raised and I’d like to echo some of those sentiments. Remember this moment, each of you, when, God forbid, the worst happens, that you raised your hands—and you will raise your hands because the Premier’s office is watching you to make sure. Remember that moment, if you ever, God forbid, have to read that headline in the paper.

I want to talk about the real reason we’re doing this—or you’re doing this. There is a child care program problem—crisis—in Ontario, and you need a cheap solution. You need a solution that fits with your budgetary guidelines and the principles that you’re proposing to adhere to while you’re in government. This is an easy way for you to claim that you’re dealing with this, and it’s not the right way. Investment is the right way. Don’t try to balance the books on the safety of children’s lives in Ontario.

**The Chair (Mr. Dave Smith):** Further debate?

**Ms. Catherine Fife:** You can see that for those of us who have been in this House for a while—we’ve gone through several iterations of the best version of what the government proposes for child care. We’ve always countered those proposals with investment in the not-for-profit sector for children, because the research and the evidence shows that when you do invest in quality child care, the return on the investment for those children, for those families, for their health, their well-being, their education, for their nutrition, even—the return on the investment is sound. It’s very sound for the economy,

which is another point of tension, I think, with regard to schedule 3. We find schedule 3, in its entirety—you can’t amend this. It’s wrong right from the get-go, and we’ve been very clear about that.

I do want to say, though, when this came up in the debate, to hear the Minister of Education justify this move was something that I’ve never heard. It’s not a policy or a piece of legislation that can actually be defended, but she did say that we’ve got inspectors to inspect these homes. Eighty per cent of the child care in the province of Ontario happens in informal child care settings because successive governments have not invested in licensed child care that is above board.

We had the private child care operators come here—the home care—and tell us point-blank they had not even surveyed their members as to whether or not they had the capacity to have another baby under the age of two in their care.

**0930**

I referenced the home care provider in Waterloo region who said, “Listen, I can barely do the two babies and the four toddlers that I have right now.” She expressed concern, as a home care provider, about her ability and other home care providers’ ability to ensure the safety of three infants.

The minister said, “Oh, we’re going to get lots of inspectors,” but the government has put a pause on all new hires. There aren’t enough inspectors right now, in the province of Ontario, ensuring that children are safe in child care situations. That is a fact. That came out in the Careless About Child Care report. It has been a long-standing problem. There is literally an underground economy for child care in the province of Ontario. We don’t know what’s going on. But during the hearings, we saw things with nanny cameras that I wish I could unsee: babies being shaken, infants being hurt, caregivers blatantly neglecting children. These are child care providers who should not be providing child care. The only reason they were found out is because the parents put in nanny cams.

So I have to say, you don’t have to put up your hand. You don’t have to vote for this. If you didn’t vote for this, you would be on solid ground. I’m telling you that, as colleagues. You would be on solid ground by not supporting this. You don’t have to put up your hand and vote for this. We can defeat this schedule right here and right now, and signal to the people of this province that you really are caring about children. That would be a turning point in this entire legislative session, because thus far, it’s not going in the right direction.

The other piece about this is that schedule 3 doesn’t solve the problem. It actually doesn’t increase child care spaces. It just changes the nature of the child care experience for those children and for those caregivers.

So I’m taking a different approach, because my colleagues have already indicated that this is a non-negotiable, indefensible piece of legislation. It truly is.

AMO is on the side of child care providers in the province of Ontario. That has only happened twice in seven years. Municipalities of Ontario do not want this

change to happen. They've said, "Go back to the drawing board. Revisit this policy. Apply a research- and an evidence-based lens to how we care for children." They've put it in writing.

I really do think that you are on solid ground as independent members of provincial Parliament who have the right to vote with your conscience. This would be that time.

**The Chair (Mr. Dave Smith):** Is there any further debate? Mr. Schreiner.

**Mr. Mike Schreiner:** I'm just going to preface my remarks by saying I'm somebody who grew up in a rural community, a community that only had home child care available, and somebody who, as a parent, sent one of our children to a home daycare and had a wonderful experience.

The bottom line is, anyone who has ever read the Ombudsman's report *Careless About Child Care*, anybody who has ever read that and could vote for this change—I really question their morals and ethics, quite frankly. The safety of our children is sacred, and we have a responsibility to make sure the rules and regulations are in place to provide for that safety. To abdicate that responsibility is something I certainly don't want on my conscience.

I think there are other ways to go about supporting home care, which I recognize, in rural communities, is essential. If it's a financial feasibility issue, then let's talk about ways to provide financial supports to home care providers so they can economically care for children in a safe way. But to say that the solution is to take away the safety ratios that were put in place because children died is wrong.

So I'm going to be voting against this schedule, and I hope everyone here votes against this schedule. Then I am happy to sit down and work across party lines to talk about how we create a financially viable home care sector, particularly in rural communities, for this province.

**The Chair (Mr. Dave Smith):** Is there any further debate? Are the members ready to vote on schedule 3, sections 1 through 6?

**Mr. Peter Tabuns:** As long as it's recorded.

### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** I declare schedule 3, sections 1 through 6, carried.

For schedule 3 in its entirety: Is there any further debate on schedule 3?

**Mr. Peter Tabuns:** No, but a recorded vote.

**The Chair (Mr. Dave Smith):** Are the members ready to vote on schedule 3?

### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** I declare schedule 3 carried.

Schedule 4: Since there are no amendments to schedule 4, I propose that we bundle sections 1, 2 and 3 together. Do I have consent for that?

**Mr. Peter Tabuns:** I'm happy with that. As long as we get to debate and have a recorded vote, I'm good, Chair.

**The Chair (Mr. Dave Smith):** Is there any debate on schedule 4, sections 1 through 3? Mr. Tabuns.

**Mr. Peter Tabuns:** This is a really strange schedule in a bill full of strange schedules.

First of all, the argument is made that we need to do this for competitiveness. Who are we competing with here? If you've got the sub-metering companies competing against each other, if they're all regulated, it doesn't change the competitive relationship between them. They all are dealing with the same issue, so it doesn't make it more competitive within the industry.

As we heard Monday, the contracts that are signed between landlords and sub-metering companies go on for 10 to 20 years. It isn't as though, if a sub-metering company isn't working out, they're going to be ditched tomorrow.

Frankly, if tenants find that the sub-metering companies are engaged in activities that are illegal, unfair or simply what one might call a sharp practice, they can't switch. They can't say, "No, no, no; I don't like this metering company. I'm going to go to the metering company over there that offers a better price." No; they're stuck. And generally when customers are stuck with a monopoly supplier in their building, you regulate.

We have had real problems with the Ontario Energy Board. I'm very interested to see what this government does, but I often referred to the OEB as a sock puppet under the Liberals, run by the minister, because, when the Hydro One sale came up, did the OEB say boo, that "We need to review this for its implications, its impacts on hydro rates"? No; not a peep.

When the Liberals brought forward their smart meter program without a business case, an approach that in Germany had been rejected because the cost of the smart meters just was too great, given the potential reduction in cost for utilities and customers—it made sense for big users; no question. In the city of Toronto, 80% of the power is used by 20% of the customers. Yet we spent two billion bucks in Ontario on smart meters with an OEB that didn't say boo. They said, "Yes, sir. How many, sir?" when they were told to simply make it happen. So I'm not a big fan of the OEB the way it has been run.

The idea that sub-metering providers would be able to do whatever they want without regulation is extraordinary to me. The idea that you would roll that back—who on earth are you protecting? I can tell you right now, you're not protecting tenants. Who are they going to complain to? I don't know which of you have a fair number of tenants

in your ridings, but I want you to think: When those tenants come to you and say, “I’m getting gouged. What can you do about it?” and you say, “Hey, I can’t do a thing. We think they should be able to charge whatever they want. I know you can’t go to another company. I know you’re stuck in that building. You’re going to pay whatever they want or you’re not going to have power, but I can’t do anything,” that’s an extraordinary dereliction of power, for no competitive advantage to anyone, although it’s really a great gift to the sub-metering companies. I think it’s fabulous for them. They’ve got to be happy as clams. It’s a wonderful thing.

**0940**

We went through this argument before when the Liberals were in power on that side and they were saying, “We need to have sub-metering.” They didn’t look at the fact that tenants don’t control the insulation on the buildings that they live in—the landlords do; and because heating and cooling is the dominant energy load, those tenants have no impact, but the landlords don’t have to worry about it anymore because the tenants get stuck with the bill.

The tenants don’t run the hot water system, which is the next load after heating and cooling. They aren’t currently charged for this, although I understand there’s a real interest in water metering on the part of these companies. But that’s a major energy use. Then your refrigerator. Tenants don’t get to pick their refrigerator. The landlords put them in. Because for the landlords, the best bet is to put in the cheapest fridge they can get and then have the tenants worry about the energy cost, this actually doesn’t help reduce energy consumption.

There’s a huge problem in Toronto between commercial buildings and their tenants. Tenants pay the energy bills in those big office buildings downtown. They have no ability to actually change the cladding of the building or the operation of the building; they just get stuck with the bill. And the big owners don’t have an incentive to reduce energy consumption because they don’t have to pay the bill.

You’re continuing a process the Liberals put in place to help the developers, not help the tenants, and you’re going to put the tenants in a far more perilous position than they were in in the past. I don’t know how on earth you can say that this is “competitive enhancement of our economy.” This is a way of transferring a lot of bucks out of the pockets of tenants into the pockets of landlords. If that’s your purpose—and it surely must be—I wish you had stated it and not gone under this term “competitiveness.” That’s bunk.

I urge you all to vote against this.

**The Chair (Mr. Dave Smith):** Further debate? Ms. Fife.

**Ms. Catherine Fife:** I just want to raise the issue of the tenants’ association that came to us. I have to tell you, tenants in Toronto, in Waterloo, in Kingston and in Ottawa, they’re feeling that this government is not supportive of renters. The Advocacy Centre for Tenants Ontario came to us and they put it beautifully why this

legislation and why this schedule should not pass. They say, “We believe that sub-metering puts the financial incentive to conserve in the wrong place and represents a lost conservation opportunity. When the landlord pays for electricity through bulk metering, the landlord has a financial incentive for conserving and can invest in significant energy conservation measures.” As my colleague has pointed out, tenants don’t even have the means to effect conservation.

We all know that conservation is the smartest place to invest money. You’ve taken away incentives through energy conservation, you have clearly sided with the sub-metering association—I didn’t even know that they had an official lobbying group. I didn’t realize that they had so many lawyers and I didn’t realize that they had commissioned their special select report on sub-metering, which confirms their own perspective, their own interest for their shareholders. I read that report. It confirms that shareholders will do very well in the province of Ontario if this schedule passes unamended.

I didn’t get a chance to ask them specifically how long they had been lobbying, but certainly the Advocacy Centre for Tenants Ontario had some sense that they had been actively lobbying for this schedule in particular. I don’t think they saw that it would be part of an omnibus piece of legislation with toxics and child care—but they got what they wanted. They got exactly what they lobbied for, and the tenants got exactly what they don’t need.

This is another schedule embedded in this omnibus piece of legislation which shows where your priorities are as a government. It isn’t with the people who are stuck paying high rents across this province and who will obviously have higher energy costs because of submetering.

Also, just as a final point on submetering, there is no evidence that proves that it actually conserves energy. There is no evidence. There is no independent study. You just have a lobbyist group that did a study and you’ve decided to believe that study. So I would urge you as well to vote against schedule 4.

**The Chair (Mr. Dave Smith):** Is there any further debate? Mr. Schreiner.

**Mr. Mike Schreiner:** I just want to make a real quick point that there are occasions where submetering is appropriate and there are occasions when it’s not. In particular, on occasions where the people that are being submetered have some conservation control, so for those residences where they can purchase the appliances, those residences where they can invest in conservation measures—but there are many cases, particularly in multi-residential rent situations, where tenants absolutely have no control. To take the regulatory protections away from them, the same regulatory protections that are in place for homeowners and businesses and building owners, is wrong.

So again, this is a situation where if we had the time and could actually work together as legislators, we could craft a schedule here that would actually work for places where it’s appropriate for submetering and places where it’s not, but we don’t have that situation here. Therefore, I’ll be

voting against it because of the way in which it negatively affects so many tenants who have no control whatsoever over the energy use of their units.

**The Chair (Mr. Dave Smith):** Is there any further debate? Seeing none, are the members ready to vote on schedule 4, sections 1 through 3?

**Mr. Peter Tabuns:** Recorded vote.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 4, sections 1 to 3, carries.

For schedule 4 in its entirety, is there any debate on that? Seeing none, are the members ready to vote on schedule 4?

**Interjection:** Recorded vote.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 4 carries.

Schedule 5: Since there are no amendments, can we bundle sections 1, 2 and 3 together? Okay, is there any debate on schedule 5, sections 1 through 3? Mr. Schreiner.

**Mr. Mike Schreiner:** Yes. I just can't believe that the government has proposed getting rid of Ontario's Toxics Reduction Act. I mean, I thought one of our basic responsibilities was to protect the land, water and air that everyone in this province depends on for life. The fact that Ontario actually has one of the highest rates of toxic emissions of any jurisdiction in North America makes me think that what this committee should be doing is talking about how we strengthen the Toxics Reduction Act, not eliminate the Toxics Reduction Act. We heard testimony from delegates that clearly showed three particularly critical ways in which the federal toxics act and the provincial one do not duplicate and are completely different, particularly around enforcement and reduction.

The federal act doesn't focus on reduction plans, and that's exactly what we need, clearly: a reduction plan in Ontario. It was interesting speaking with some of the farm organizations, who were like, "Wow, this is probably going to affect us. We don't want toxins going onto our farmland."

**0950**

So it's not just environmental groups—and I know environmental groups have been speaking out on this. I've talked to municipalities who have said, "We want to make

sure that we reduce toxins because we believe that that's how you attract investment." Companies want to invest in jurisdictions that have a clean environment, that protect water, that protect land, that protect our people from toxins. That's where the investment dollars are going, not in a race to the bottom where we actually reduce those kinds of protections.

I really, strongly encourage the members opposite to reconsider their position on this and to actually sit down with us and design a Toxics Reduction Act that works better, not getting rid of the one that we have now. So I'll be voting against this schedule.

**The Chair (Mr. Dave Smith):** Any further debate? Ms. Fife.

**Ms. Catherine Fife:** The argument for repealing the Toxics Reduction Act on the government side is that it's duplication, and yet we heard from the few deputations that were able to come forward that the federal plan is a weak plan. We actually have a number of examples. In 2016, the federal environmental commissioner found that despite the Chemicals Management Plan, the federal government was not doing enough to protect Canadians from toxic substances used in cosmetics. I can't believe the provincial Conservative government is putting their faith in a weak, Justin Trudeau environmental plan.

It's well documented that the federal environmental plan is very weak and does not follow up on actions. So what you have done as provincial legislators is that you've essentially just walked back your responsibility provincially to reduce toxins in the province of Ontario, all in the name of reducing red tape. If anything, we should make the Toxics Reduction Act stronger. I'll be the first to admit that it needs to be stronger. It doesn't need to be repealed; it needs to be strengthened and it needs to be streamlined to address some of the duplication that already happens within the province of Ontario.

For instance, the Liberal government made lots of promises about how they would get to the enforcement piece of the Toxics Reduction Act. Of course, they never got to that. But they did promise further steps to address health impacts in air pollution and hot spots such as the Sarnia, Hamilton and Sudbury hot spots that exist in the province of Ontario. You have to do something about those hot spots. You just can't say, "You know what? We're going to get rid of the legislation and we're not going to worry about them." That's not responsible government, and at the end of the day it's bad for business as well.

To see this provincial government take such a massive step back on environmental protection and toxics reduction—it is not too much to ask a company to have a plan in place to reduce the possibilities of accidents, of chemical spills. Companies who deal with chemicals should have plans. The responsible companies, like the chemistry association that did come before us—40% of those companies have responsible care. They've taken it upon themselves to do some good things, but they did so because they recognize that it's good for business. It's good for their business and the perception of their

industry. What you have done is basically said that no company, actually, has to take that sort of step, which at the end of the day will not give Ontario a competitive edge. It will just compromise the health and well-being of the citizens of this province.

**The Chair (Mr. Dave Smith):** Mr. Tabuns, further debate?

**Mr. Peter Tabuns:** Chair, my colleagues have made some really good points. I want to note the Registered Nurses' Association of Ontario came before the committee. They presented a very good brief setting out why this schedule should not be supported. They noted that in Massachusetts, their toxics use reduction program led to "a 40% reduction in toxics use, a 58% reduction in toxic by-products, a 47% reduction in toxics shipped in product, and a 90% reduction in on-site releases to the environment." Those are consequential numbers. That's what Ontario should have aimed for. Let's face it: Under the Liberals, they tried to pass as empty a bill as they could, and even with that, there was some good that came out of it, as frustrated as we were with what they brought forward. Now you're proposing to roll backwards even from the Liberals? That's extraordinary to me. I didn't think you could do much worse than them, but I'm impressed.

Note, at the time that this bill came forward, that Ontario was the second-largest emitter of toxics in North America, after Texas. That means we beat Louisiana, which does not have a great record in these matters. Washington state has a lot of problems with toxic emissions, but we're right up there. We're number two, or we were. I'm assuming that with this removal you're aiming to be number one.

I want to say—and this is an interesting thing about exports and demand for products—that I have a large Chinese population in my riding: really good folks, well connected to mainland China. They like to import food products from Canada because they know they're healthy and they're safe. We have a reputation that way. Being able to say that you ship products that are clean and healthy and don't have any surprises in them is a competitive advantage globally, so a number of the connected businesspeople in my riding like to buy Ontario agricultural products to ship overseas. When you take a step back like this, you undermine our international reputation by saying, "We don't care about toxic chemicals in food."

We should care about it. My colleague from Guelph was correct: If you're a farmer, you don't want to be downwind from a plant that's going to deposit toxic chemicals in your fields. You don't want to have to deal with sewage sludge that has toxic chemicals in it that's put on fields.

What you're doing here is undermining our competitiveness on the world stage. Set aside the fact that you're increasing the chances that working people will get cancer; set aside the cost of dealing with toxic waste over time, both of which are bad things for competitiveness. Let's just say outright: If you're reducing the amount of toxic chemicals in what we produce, you increase our

attractiveness on the world stage, but you're rowing back on that, and it does not work within that "competitiveness" language. It doesn't work at all. I think you're wrong to go ahead with this. I urge you to vote against this schedule.

**The Chair (Mr. Dave Smith):** Further debate? Mr. Arthur.

**Mr. Ian Arthur:** I think my colleagues have done a very good job of bringing up a lot of the points here. But I would just stress that there has been so much rhetoric and, I think, misdirection attached to this. It's not actually a redundant piece of legislation; it does something that's different from the federal piece of legislation. Claiming that they're one and the same is erroneous. The federal regulations cover generation but not use.

One of the good things that came out of this was that companies had to provide reports. That level of reporting on the use of chemicals so that the public, the people of Ontario, could know what companies were using them and what companies were trying to reduce their use of them was public information. Those same companies are no longer going to be obligated to provide that information—on the use of it—to the people of Ontario. That's quite dangerous because, much like with the child care section of this, we're not here to put obstacles in the way of the people who are doing a good job at what they do; we are here to protect against the worst examples of the people who try to take advantage of the system. When you remove these regulations without thinking about what this allows the worst in Ontario to do, you're leaving a massive hole open for really terrible things to happen.

I don't think the public really understood the implications of what this schedule does, because the OFA didn't really understand it until Monday, when they left and they asked MPP Schreiner and myself about what the implications were because they didn't understand the differences between the federal and provincial acts. So it's not redundant. It wasn't a great piece of legislation. It could have been made better. It could have been made so that companies could work within the parameters of it, to be competitive.

#### 1000

Reducing toxic substance use can be a competitive advantage. That's something you can sell to the world. The world cares about that. Positioning yourself at the front of that is a good thing, as a company. I hope that the responsible companies keep continuing to do that.

But as I said, we're here to protect against the ones who don't want to do that, who want to take advantage of the loophole you're about to create.

**The Chair (Mr. Dave Smith):** Any further debate? Mr. Tabuns.

**Mr. Peter Tabuns:** I wanted to note, in talking about duplication, that the federal program was in effect at the time that Ontario was noted as number two in toxic emissions in North America after Texas. So I don't think it was exactly doing the job that people might think it was supposed to be doing.

This current act needed to be strengthened. There were sections that weren't proclaimed; they needed to be

proclaimed. But to roll it back, in light of the fact that the federal program was a failure in Ontario, is extraordinary.

**The Chair (Mr. Dave Smith):** Any further debate?

**Mr. Mike Schreiner:** I just wanted to add one more point. In this, I want to appeal to fiscal conservatism, because one of the biggest costs that municipalities are facing right now is brownfield redevelopment. It is a huge cost, and I hear this from developers all the time.

What I hear from councillors and developers is, “Why didn’t we prevent the toxins from being in the ground in the first place?” Because now taxpayers are on the hook for spending millions—in some cases, billions—of dollars in cleaning this up.

The member from Brantford would certainly understand that, given the huge cleanup that’s happening there right now. We’re experiencing it in Guelph right now: old chemical facilities that we’re trying to clean up for affordable housing. The costs are astronomical.

**Ms. Catherine Fife:** Hamilton.

**Mr. Mike Schreiner:** Hamilton, Toronto, a number of places.

For me, the fiscally responsible approach—any government that’s going to consider themselves fiscally responsible is going to prevent the problem in the first place, so taxpayers are not on the hook for cleaning it up down the road.

**The Chair (Mr. Dave Smith):** Any further debate? Seeing none, for schedule 5, sections 1 to 3, are the members ready to vote?

**Ms. Catherine Fife:** Recorded vote.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 5, sections 1 to 3, carries.

Is there any further debate on schedule 5 in its entirety?

**Mr. Peter Tabuns:** No. Just a recorded vote.

**The Chair (Mr. Dave Smith):** Are the members ready to vote?

**Interjections:** Yes.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 5 carries.

For schedule 6, there are no proposed amendments. Could we have consent to bundle sections 1 and 2 together?

**Interjections:** Yes.

**The Chair (Mr. Dave Smith):** Schedule 6, sections 1 and 2: Is there any debate? Seeing no debate, are the members ready to vote on schedule 6, sections 1 and 2?

**Interjection:** Recorded vote.

#### Ayes

Arthur, Fife, Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Schreiner, Skelly, Tabuns.

**The Chair (Mr. Dave Smith):** All those opposed? Seeing none, schedule 6, sections 1 and 2, carries.

Are the members ready to vote on schedule 6 in its entirety?

**Interjection:** Recorded vote.

#### Ayes

Arthur, Fife, Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Schreiner, Skelly, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 6 carries.

Schedule 7—

*Interjection.*

**The Chair (Mr. Dave Smith):** Could I have consent to bundle sections 1 through 34 of schedule 7? Agreed? Agreed.

Is there any debate on schedule 7, sections 1 through 34? Ms. Fife.

**Ms. Catherine Fife:** This is a strange, strange schedule. It is. None of it goes together. None of the parts fit. There’s no cohesive vision around competitiveness.

Part of schedule 7 amends the Technical Standards and Safety Act so that it no longer applies to upholstered or stuffed articles such as teddy bears, mattresses and down-filled clothing, which are currently required to be properly labelled and free of mould and infestation. The regulation of USA items will now fall to the federal Canada Consumer Product Safety Act and the federal Textile Labelling Act. So we’re deferring our responsibility under the federal acts now. However, the federal authorities generally do not proactively inspect locations, seize dangerous items or make orders to destroy or remove unsafe items. In other words, it’s useless.

The Liberal government initiated a review of these regulations back in 2016, and a KPMG report found that most TSSA compliance orders for the USAs did not correspond with actual hazards, suggesting that this is another ineffective oversight mechanism.

We just reviewed, actually, in public accounts—the 2018 Auditor General found that the TSSA needs to be reviewed and they need an overhaul. But repealing the responsibility altogether under the Technical Standards and Safety Act to ensure that upholstered or stuffed articles actually are inspected—I mean, what does this government have against teddy bears, for God’s sake? Until we have a situation where you have a product that actually is contaminated with mould or with chemicals and

there is fallout in the health care system, then you'll have to deal with that as well. Once again, it boggles the mind that you would reduce the regulation around a safety mechanism to inspect clothing and mattresses and stuffed articles.

Right now, the TSSA inspectors do go in and they test these products. They have found problems, just so you know. While the TSSA does need to be reviewed according to the Auditor General's report, it actually has found problems. There have been mislabelled toys that posed a choking hazard for kids which the AG found were not removed from the shelves but were getting into the province.

Quebec and Manitoba are other provinces that have gone this route and there have been well-documented cases where children have—there has been lead in certain products; there's been mould. One constituent of mine, for instance, bought a couch and her toddler rolled on the couch and she had an acid burn on her body. Then the CAS got involved and they had to inspect the couch. It's a serious issue. It affects the people that we serve, and that's the lens that we're supposed to be looking at legislation through.

I have to say that, once again, I don't know who in the backrooms is pulling these together. I don't know if it's, like, pull an item out of a fishbowl and you throw it into an omnibus piece of legislation, but if this is your idea of reducing red tape, by lowering the standards of textile items that come into the province—I mean, you're rational people. How does this make any sense?

Hold the Technical Standards and Safety Authority to account. That's the tough talk that we always hear from this Premier: "We're going to make those people work harder. We're going to make them work longer. They're going to get less money but they're going to do a better job." Once again, any reasonable, rational person would look at this and say to themselves, "What is going on? How does this fit into a so-called competitiveness bill?"

That's all I've got right now.

**The Chair (Mr. Dave Smith):** Any further debate?

**Ms. Catherine Fife:** Sorry, one other thing: I guess I should say, because I got 4,000 emails on this, that it repeals the Wireless Services Agreements Act, which was enacted in 2013 in order to build on the CRTC wireless code. The CRTC code was updated in 2017 to include provisions that were in the provincial statute, such as requiring plain language for cell mobile contracts and allowing cancellations without penalty after two years. So once again, you're showing where your priorities are.

All of us have issues in our ridings. We have several cases open right now on students and seniors who have been bamboozled, if you will—there are other words I can use but they're not very parliamentary—by wireless companies. They are locked into expensive contracts. What does this government have against ensuring that consumers have some level of protection and that the language contained in those contracts is actually understandable to a senior, for instance?

This is not a competitiveness aspect; this is clearly showing where your real priorities are. It certainly isn't on the side of consumers in the province of Ontario.

**The Chair (Mr. Dave Smith):** Any further debate? Mr. Schreiner.

**Mr. Mike Schreiner:** I was going to save it for the end, but since the wireless services section got brought up, I'll talk about that now. Just to say, if you poll most Canadians, probably one of the things that they get the angriest about is being gouged for wireless services. I hear it over and over again, particularly in rural communities and from seniors and students as well.

To take away the protections—and these are just really basic protections—I just wanted to be on the record today that I'm going to stand up for consumers and work on lowering your wireless bills, not taking away protections that could actually lead to increases or even lead to gouging. I don't understand why this is in the bill, because I don't even see what duplicate regulations it is eliminating. So I'll be voting against.

**The Chair (Mr. Dave Smith):** Seeing the time on the clock, we will continue debate when we come back. We will be recessed, then, until 2 p.m.

*The committee recessed from 1013 to 1400.*

**The Chair (Mr. Dave Smith):** Good afternoon. Welcome back. We are here for clause-by-clause consideration of Bill 66, An Act to restore Ontario's competitiveness by amending or repealing certain Acts.

When we left this morning, we were on schedule 7. We had grouped sections 1 through 34 together and we were at the portion of debate. Is there any further debate or discussion on schedule 7, sections 1 through 34? Seeing none, are the members ready to vote?

*Interjection.*

**Mr. Peter Tabuns:** I want it recorded. Yes, sure.

#### Ayes

Hogarth, Kanapathi, Kramp, Parsa, Skelly.

#### Nays

Arthur, Tabuns.

**The Chair (Mr. Dave Smith):** Sections 1 through 34 of schedule 7 are carried.

**Mr. Peter Tabuns:** And then a vote on the schedule as a whole?

**The Chair (Mr. Dave Smith):** Yes.

Schedule 7 as a whole: Is there any debate?

**Mr. Peter Tabuns:** Recorded vote—oh, no, I'm sorry. Catherine?

**The Chair (Mr. Dave Smith):** You'd like to speak to it? Ms. Fife.

**Ms. Catherine Fife:** Yes, thank you. Sorry; I was talking to some students.

Just on schedule 7, I wanted to raise this one last issue, following this morning's proceedings. Schedule 7 also allows a director to propose an alternate rule that, if

approved by ministerial order, would apply instead of existing regulation or minister's order under the TSSA Act. This is speaking to how a transfer of power is happening. In one example that was cited to us when we took this bill out to consult, there is an EBR posting that says that this schedule would reduce where operating engineers are required to supervise. The bill backgrounder suggests these supervisory reductions would apply with respect to boiler and pressure vessel plants.

This is another example of where, in the name of trying to reduce red tape, there's a distinct possibility, if you reduce the oversight around engineering supervisors, that you could potentially have more accidents on site.

I wanted to raise that because this came up when we consulted with the skilled trades sector. Any effort that the government makes to reduce safety oversight will always be a concern for New Democrats.

**The Chair (Mr. Dave Smith):** Any further debate? Are the members ready to vote, then, on schedule 7?

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 7 carries.

Schedule 8: There are no proposed amendments to schedule 8. Could I have unanimous consent, then, to bundle sections 1 through 13?

Is there any debate on schedule 8, sections 1 through 13? Ms. Fife.

**Ms. Catherine Fife:** Schedule 8 obviously makes some significant changes to the Long-Term Care Homes Act of 2007. What's interesting about this part, this schedule, is that it allows the director of a long-term-care home more discretion concerning the licensing process with respect to public notification and consultation requirements and the issuance of emergency licensing. These changes are supported by the for-profit sector of long-term care. They feel that those inspections are essentially red tape, and they don't like them.

I happen to believe—and I know that our health critic, France Gélinas, feels very strongly—that contracting out or privatizing long-term-care health inspectors will ultimately lead to a very biased perspective of what's happening in that long-term-care home. So we feel that going in this direction and giving more discretion, especially given some of the instances that have happened in the last 18 to 24 months in long-term-care homes—we know that long-term-care homes have the same vulnerability as early learning and care centres.

I know that this government has already voted in favour of reducing safety oversight in child care centres, but when you're talking about senior citizens in long-term care, those inspections add a level of security for children who put their parents in these institutions. Ultimately, if the

goal is to improve and raise the quality and the bar for quality of care in long-term-care facilities, then inspectors play an important role in that.

As I said, allowing the director more discretion concerning licensing processes, essentially having a director self-regulate whether or not their long-term-care facility is a quality facility—that's like putting the fox in charge of the henhouse, and we've seen too many examples of this right now in the province of Ontario. So we will not be supporting schedule 8, Ministry of Health and Long-Term Care.

**The Chair (Mr. Dave Smith):** Any further debate? Mr. Schreiner.

**Mr. Mike Schreiner:** I'd just like to add to that. Maybe the government members can comment on this, but it's my understanding that Bill 66 eliminates the requirement for public consultation before a long-term-care home licence is granted or renewed. To me, that just opens up the possibility that you could have those kinds of licences granted without any public knowledge, consultation or input for critical care for a community. I haven't been able to find any rationale or justification for why that consultation process would be eliminated, and I'm concerned about that.

**The Chair (Mr. Dave Smith):** Further debate? Ms. Fife.

**Ms. Catherine Fife:** I just want to say that we've gone through eight schedules now. We've not heard one opinion stated by the government side of the House. I've just talked at length about reducing possible safety inspections around the Ministry of Health and Long-Term Care, and the member from Guelph has just raised the fact that no public consultation will happen. This actually will increase the chances—

*Interjections.*

**Ms. Catherine Fife:** I wonder if we could get some order. I mean, I know that they don't want to talk, but maybe they could listen.

This is increasing the chances of a problematic long-term-care operator receiving a licence. This should be of concern to all of us around this table—all of us. If the government can defend this schedule, please do so, because your silence throughout the entire process of Bill 66 is deafening. If you think that reducing public consultation and giving directors of long-term-care facilities the ability to bypass public notification and consultation requirements is a good idea, then speak up. But if not, then vote against it.

**The Chair (Mr. Dave Smith):** Any further debate? Seeing none, are the members—

**Ms. Catherine Fife:** Recorded vote.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.



**The Chair (Mr. Dave Smith):** Schedule 8, sections 1 through 13, carried.

For schedule 8 as a whole, is there any debate, any comments? Seeing none, are the members ready to vote?

**Ms. Catherine Fife:** Recorded vote.

1410

### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 8 carries.

Schedule 9: We do have an amendment in schedule 9; however, there are a number of sections that do not have any amendments. Could I have unanimous consent to bundle sections 1 through 13, inclusive? Thank you.

Is there any debate on schedule 9, sections 1 through 13? Mr. Tabuns.

**Mr. Peter Tabuns:** I have real concerns here, Chair, with this whole act, of course, but in particular here: the deeming of entities as non-construction employers. We had presentations on Monday, notably from the carpenters but also from the construction trades, that in most cases it's the unions that actually carry the benefits packages and the retirement packages. The adoption of this schedule will mean that those employees of municipalities and school boards will be out of luck. They will be employed, but they will be cut out of the union. Does the government intend then that the municipalities will pick up the benefit and pension packages?

**The Chair (Mr. Dave Smith):** I'm sorry. That's actually out of order. That is section 14 of it. We can come to that when we get to section 14.

**Ms. Catherine Fife:** Hold on—

**Mr. Mike Schreiner:** I think that's section 9.

**Ms. Catherine Fife:** Yes.

**The Chair (Mr. Dave Smith):** It is schedule 9, section 14, I believe. The act amends the following section: "Deemed non-construction employer."

**Mr. Ian Arthur:** No, that's section 14 of schedule 9.

**The Chair (Mr. Dave Smith):** Yes, we're on schedule 9. We're dealing with sections 1 through 13 of section—

**Mr. Ian Arthur:** Okay. That's fine. I understand what you're saying now; yes.

**The Chair (Mr. Dave Smith):** We aren't at section 14 yet.

**Mr. Peter Tabuns:** I will hold my comments on section 14.

**The Chair (Mr. Dave Smith):** Thank you. Any further debate on sections 1 through 13? Are the members ready to vote?

**Mr. Peter Tabuns:** Recorded.

### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** Sections 1 through 13 of schedule 9 carry.

Schedule 9, section 14: Is there any debate on section 14?

**Ms. Catherine Fife:** Isn't there an amendment?

**The Chair (Mr. Dave Smith):** Yes, we do have an amendment. I'm sorry. Mr. Kanapathi.

**Mr. Logan Kanapathi:** I move that section 14 of schedule 9 to the bill be amended by striking out subsection 127(1) of the Labour Relations Act, 1995 and substituting the following:

"Deemed non-construction employer

"(1) The following entities are deemed to be non-construction employers:

"1. A municipality.

"2. A local board as defined in subsection 1(1) of the Municipal Act, 2001 or in subsection 3(1) of the City of Toronto Act, 2006.

"3. A local housing corporation as defined in section 24 of the Housing Services Act, 2011.

"4. A corporation established under section 203 of the Municipal Act, 2001 or under section 148 of the City of Toronto Act, 2006.

"5. A district social services administration board established under the District Social Services Administration Boards Act.

"6. A school board within the meaning of the School Boards Collective Bargaining Act, 2014.

"7. A hospital within the meaning of the Public Hospitals Act.

"8. A college established under the Ontario Colleges of Applied Arts and Technology Act, 2002.

"9. A university in Ontario that receives regular direct operating funding from the government and the university's affiliates and federates.

"10. A public body within the meaning of the Public Service of Ontario Act, 2006."

**The Chair (Mr. Dave Smith):** Any debate? Mr. Tabuns.

**Mr. Peter Tabuns:** I think it's incumbent on the government to explain who is going to get stuck with the cost. You've got a whole bunch of people who are going to be dealt out of their benefits and their pensions. Is it going to be the municipalities? Is it going to be the school boards? Is it going to be the public hospitals? Who is going to pick up the slack? Does the government have any answer for that? This is a bill that is supposed to save money. It looks like it's going to be loaded on to these public entities. What's going to happen? You've moved the amendment. Can you explain it?

**The Chair (Mr. Dave Smith):** Any further debate?

**Mr. Peter Tabuns:** I see.

**The Chair (Mr. Dave Smith):** Ms. Fife.

**Ms. Catherine Fife:** Obviously we've been very vocal on schedule 9 being completely out of order from this bill. We heard from the construction sector. We've heard from the carpenters. I think the carpenters were actually very vocal and very clear in what will happen if schedule 9, with your amendment—what your amendment does is it just doubles down on decertifying unions.

I'm going to read exactly from their presentation because it needs to be said:

“Specifically, should schedule 9 of Bill 66 come into force, we will automatically lose all of our existing construction industry bargaining rights with deemed non-construction employers and our members working for such employers in the construction industry will no longer be covered by their existing collective agreements.”

Is there a problem here?

“We recognize that the proposed language of schedule 9 of Bill 66 does allow for the survival of ... non-construction employers, which do not relate to” this section.

“However, this is of little solace to us and our members. As noted, the members of the carpenters' union who are employed by deemed non-construction employers perform the vast majority of their work, for their respective employers, in the construction industry. Therefore, upon this bill coming into force they will become non-union workers, by government fiat and without having any say in the matter.”

This is unprecedented. Not even the Liberals would have tried this. You are decertifying union members. These are people who have built the very institutions that we are in. They have built our schools, they have built our municipal buildings and our hospitals, and you are, through the back door, decertifying them. There's no denial by the government side that this is actually happening. You are not, obviously, allowed to speak in a committee debating Bill 66.

When you think of the entire labour movement, what the people of this province have fought for—for pay equity, for safe working rights, for fair wages, for benefits, for the weekend, for a work week that actually is a manageable amount of time—you're going to undo 100 years of fighting by keeping schedule 9 as it is, and, in fact, doubling down on it. Not only that, when the Provincial Building and Construction Trades Council of Ontario came to us, they rightly pointed out that you are opening the government of Ontario up to a charter challenge, which they will win. So you are knowingly going down a road where you are removing basic labour rights of workers in the province of Ontario—knowingly doing this through the back door by passing schedule 9 as is and in fact doubling down on it.

Then you are opening up the province of Ontario to legal action. This is what the construction trades said to us:

“In light of the above,” if schedule 9 passes as it is, “we are of the view that a challenge to Bill 66, once enacted, is viable in the circumstances. We base this opinion on three

potential means by which the bill may violate s. 2(d) of the charter: (i) it nullifies freely bargained collective agreements, without any consultation; (ii) it eliminates the bargaining rights of trade unions, which were acquired in accordance with the law and chosen by the employees to represent their interests; and (iii) it violates international treaties, covenants and conventions to which Canada is a signatory.”

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I want to hear from the government side—you have been silent the entire day. How can this be okay with any of you? I mean, it is beyond being disrespectful; it is fiscally irresponsible to send the province of Ontario to court to fight for basic labour rights that have already been won in the Supreme Court of Ontario.

You have to speak on this. You have to speak. It is unacceptable that you're just going to sit there and let this happen.

Mr. Chair, I'd like a five-minute recess, please.

**The Chair (Mr. Dave Smith):** Before we recess, I let you continue on with what you were saying, but I want to point out to all members that order is decided by the Chair. As a Chair of a committee, you would know that. It is perfectly legitimate for staff members to come in to consult with members here and provide information to them.

**Ms. Catherine Fife:** I've asked for a five-minute recess.

**The Chair (Mr. Dave Smith):** Yes, and I will give you that in a moment—

**Ms. Catherine Fife:** It's not that you give it to me—

**The Chair (Mr. Dave Smith):** As the Chair, I decide order. Please do not interrupt me. That is my right, as the Chair. I'm giving you information that you need to know going forward. You cannot say that you want order. Order is decided by the Chair.

**Ms. Catherine Fife:** I shouldn't have to ask it—

**The Chair (Mr. Dave Smith):** You cannot object—

**Ms. Catherine Fife:** I shouldn't have to ask for it.

**The Chair (Mr. Dave Smith):** You cannot object to staff members coming in to provide information to members of the committee. Your staff members do it as well.

You've asked for a five-minute recess. We can do a five-minute recess prior to the vote, but at this point, no. When I call for the vote, you may ask for it at that point. That is the time that it would be available for.

**Ms. Catherine Fife:** Well, we will have a five-minute recess, though, eventually. That's right.

I wouldn't mind staff members coming in and sharing information if members of the government would decide to speak to that information.

**The Chair (Mr. Dave Smith):** I'm sorry, that's out of order.

**Ms. Catherine Fife:** How is that out of order?

**The Chair (Mr. Dave Smith):** Because right now, we are discussing schedule 9, section 14, subsection 127(1). That's what the discussion needs to be around.

**Ms. Catherine Fife:** I'm going to continue, then, on making the point that by moving schedule 9—even with this amendment that you've doubled down on, you are taking the province to a direction which will lead us to the courts.

“Finally ... the government”—and this is part of the deputation that came before us on Monday—“will likely seek to justify Bill 66 on the basis that it was an economic necessity.”

So they're actually acknowledging that your rationale for this is—in some way, you're making the case that this is going to be good for business. They go on to say, “This may be seen as an insufficient justification for violating the freedom of association rights of Ontario workers and unions, given that less intrusive measures could have been adopted, such as the examples provided.”

Both the construction secretariat and council have come to you, willing to work with you, coming to the table. The carpenters said that they were willing to work with you and come to the table. And yet, you have put a line in the sand and refused to actually work with the very people who have built the province of Ontario up.

I have to say, it's something that I've never seen in this House and never in a committee—ever—that members of provincial Parliament refuse to speak up on behalf of the people that they represent.

**The Chair (Mr. Dave Smith):** Any further debate? Mr. Tabuns.

**Mr. Peter Tabuns:** I think every MPP in this room was in the House this morning. I'm sure we all listened to the Premier talk about how he had no particular use for the leadership of unions, but was really a strong defender of the front-line workers. I'm assuming that all of you take the dear leader at his word.

What we have here is a direct frontal assault on front-line workers, putting their benefits and pensions at risk, quite likely causing chaos in their lives and the lives of the institutions that are listed. One has to ask: Do you actually believe what the Premier said? Is what you're doing here the reality of what the Premier thinks, and everything he had to say in the chamber was irrelevant? Because if you actually are concerned about the well-being of front-line workers, you wouldn't be adopting this at all. It's a very clear statement about the expendability of front-line workers who actually, in the schools, in the hospitals, in the cities, do the work that we need to have done.

It's clear you're under instruction not to speak. I find it intriguing. I think it speaks to the indefensibility of the bill before us. I just want to note that the next time the Premier talks about defending front-line workers or concern about front-line workers, you will have made it very clear that his words are of no consequence or meaning and don't express his real intent.

**The Chair (Mr. Dave Smith):** Further debate? Mr. Arthur.

**Mr. Ian Arthur:** To follow on those lines that my colleagues put forward a little bit, I know that this government and the Premier are no fans of public sector unions. They've made that abundantly clear again and again. But

these are the trade unions we're talking about. They're not the group that was traditionally in the NDP camp. We support them. We support their right to organize. We support these unions, but I wouldn't say that they're a group that politically should be attacked like this. It is an attack on them, and I think that it's a very dangerous road to go down. These are people's lives.

These people left job sites to come here. They filled the entire adjacent room on Monday to show solidarity with the deputants who came to the committee. They were talking about their pensions and their rights as workers. All unions are going to pay attention to this. This is the carpenters' union. I know that this government has a strong relationship with LIUNA, but they are going to see this. This is the first step. IBEW is going to take note of this. You are setting yourselves up against every single unionized worker in Ontario, public and now private. It's a lot of votes.

**The Chair (Mr. Dave Smith):** Further debate? Mr. Schreiner.

**Mr. Mike Schreiner:** I just want to be on the record that I don't think it would be responsible for me to vote for this schedule because I think it would be irresponsible to strip front-line workers of their pensions and benefits. I'm deeply concerned about the fiscal implications of that for municipalities in the broader public sector from a fiscally responsible perspective.

I'm also deeply concerned about the fiscal risk that we're exposing the province to through litigation. The trades council came to this committee. Unfortunately, their deputation was a half an hour before the deadline for amendments. But they actually brought forward some reasonable proposals, because I hear from the Association of Municipalities of Ontario—and I've heard some of the members of this committee who have served on municipal councils—that there is some advantage to opening up the bidding process. That can be done in a way without stripping these workers of their pensions and benefits.

I feel as if the construction trades council in particular came forward with ideas and possible amendments that could accommodate the government's concerns while still protecting their members. Unfortunately, this process isn't allowing us to really have that conversation and to work across party lines to see if we can actually come up with some solutions that benefit all parties concerned. It's disappointing that that's the case, but I want to be on the record for that because I'm hoping, moving forward, that we, as a committee, have more opportunities to have those kinds of conversations because we're here to put the people of Ontario first, and that's the job that I want to do.

**The Chair (Mr. Dave Smith):** Any further debate? Ms. Fife.

**Ms. Catherine Fife:** We have to actually get this on the record because I'm not sure that all members of the government side understood, before the carpenters' union came on Monday, what some of the consequences would be if schedule 9 passes.

I'll quote from their deputation. It's point 19. It says:

“Further and as is common in the construction industry, all of the members of the carpenters’ union who are employed by deemed non-construction employers receive access/entitlement to health and welfare and pension benefits through the carpenters’ union and the carpenters’ collective agreements under which they work. The bill,” Bill 66, “by eliminating the bargaining rights and by tearing up the collective agreements relating to deemed non-construction employers and the construction industry work which our members perform for such employers, will end this. As such, all of these existing employees will be denied ongoing access to their prior benefit coverage and pension plans.” This will become effective as soon as this bill receives royal assent.

From the construction council deputation—to go back to the litigation, which will happen—they said, “One final note ... our tentative view is that the government could not meet its ... burden to justify the infringement of section 2(d) of the charter” because they have not conducted a thorough consultation. The process by which schedule 9 was created and embedded within Bill 66 was a flawed process. The courts will ask: “Were any studies conducted or reports made concerning the cost of infrastructure construction? Were any unions consulted on the issue? Were any employers consulted on the issue? Who was consulted? What was the problem in respect of the infrastructure costs?” There are a lot of questions on the rationale that this will create cheaper and lower bids for infrastructure construction, and those are legitimate concerns.

You are going down this road without fully understanding whether or not it will even achieve the end goal of lowering the cost of infrastructure projects. How many workers and unions are affected by the law? As legislators, wouldn’t you want to know what the final number is? How long are the existing arrangements—if this goes to the courts, we heard on Monday that this will be in limbo for three or four years. That does not instill confidence in Ontario’s economy. Basically, you might as well put a shingle out, “Closed for Business,” not “Open for Business.”

I know that we’ll go to the five-minute recess, but I want people to fully understand what’s happening here, because I was fairly certain on Monday, when these two delegations came before us, that members of the government and, indeed, the members who aren’t here in this room, don’t fully understand the impact of schedule 9 passing.

**The Chair (Mr. Dave Smith):** Any further debate? We are at the section where I would ask if members are ready to vote, but there has been a request for a recess. We’ll recess for five minutes on that request. It’s 2:34 now. We’ll reconvene at 2:39.

*The committee recessed from 1434 to 1439.*

**The Chair (Mr. Dave Smith):** We are at schedule 9, section 14, subsection 127(1). Are the members ready to vote?

**Ms. Catherine Fife:** Recorded vote.

**The Chair (Mr. Dave Smith):** Since this is a recorded vote—

**Ms. Catherine Fife:** Chair, can you just clarify which section?

**The Chair (Mr. Dave Smith):** Section 14, subsection 127(1) of the Labour Relations Act.

**Ms. Catherine Fife:** Thank you.

**Mr. Mike Schreiner:** Chair, may I ask a quick question? Are we looking at the amendment first or the—

**The Chair (Mr. Dave Smith):** We are voting the amendment.

**Mr. Mike Schreiner:** On the amendment, yes.

### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

### Nays

Fife, Tabuns.

**The Chair (Mr. Dave Smith):** That motion carries.

We’re moving on, then, to schedule 9, section 14, subsection 2: amendment number 3. Mr. Kramp.

**Mr. Daryl Kramp:** I move that section 14 of schedule 9 to the bill be amended by adding the following subsection:

“(2) Section 127 of the act, as enacted by subsection (1), is amended by adding the following subsections:

““Opt-out election

“(5) An entity referred to in subsection (1) may elect to opt out of the application of subsections (1) to (4) if, on the day the Restoring Ontario’s Competitiveness Act, 2019 receives royal assent, a trade union represents employees of the entity who are employed, or who may be employed, in the construction industry.

““Same, required content

“(6) An election made under subsection (5) must be made by a person or body with authority to bind the entity, must be prepared in writing and must set out the day on which it was made.

““Same, timing

“(7) An election made under subsection (5) must be filed with the minister within three months after the day the Restoring Ontario’s Competitiveness Act, 2019 receives royal assent.

““Election irrevocable

“(8) Once filed with the minister, an election made under subsection (5) is irrevocable.

““Minister may publish

“(9) The minister may publish an election made under subsection (5), including by publishing it on a government of Ontario website.

““Effect of election

“(10) If an entity made an election under subsection (5) and” filled “it with the minister in accordance with subsection (7), subsections (1) to (4) do not apply in respect of that entity.

**The Chair (Mr. Dave Smith):** Mr. Kramp, could you repeat (10) for me please?

**Mr. Daryl Kramp:** Yes. ““(10) If an entity made an election under subsection (5) and filed it”—excuse me; not filled it—“with the minister in accordance with subsection (7), subsections (1) to (4) do not apply in respect of that entity.

**The Chair (Mr. Dave Smith):** Thank you.

**Mr. Daryl Kramp:** ““Application under s. 127.2 permitted

“(11) For greater certainty, an entity who made an election under subsection (5) and filed it with the minister in accordance with subsection (7) is not precluded from subsequently making an application under section 127.2.”

**The Chair (Mr. Dave Smith):** Is there any debate on the motion? Mr. Tabuns.

**Mr. Peter Tabuns:** I don’t know if the government will answer, but what does this actually mean? I see.

Could I ask legal counsel to explain? What does this mean? Well, then, whoever can explain, we’d love to have them here.

**The Chair (Mr. Dave Smith):** If you can introduce yourself for Hansard before you speak, we’d appreciate that.

**Mr. Trevor Rands:** My name is Trevor Rands. I’m crown counsel with the Ministry of the Attorney General at the legal services branch of the Ministry of Labour. What this proposed amendment would do would be to provide an opportunity for an entity that’s listed in the proposed bill to opt out of the application of provisions that would effectively deem them to be a non-construction employer.

**Mr. Peter Tabuns:** So if I understand you correctly—I’ll use the city of Toronto as an example, but no particular significance there—at the point that this comes into effect, they could say, “No, we don’t want this to affect us. We want to continue on with the trade union relations we’ve had.” Is that correct?

**Mr. Trevor Rands:** That’s correct. These provisions, the proposed opt-out provisions, would come into force on royal assent, and an entity that’s referred to in the proposed deemed non-construction employer provision would have an opportunity to exercise the election to opt out in accordance with the proposed provisions. If they exercise that right, then those provisions that would deem them to be a non-construction employer would not apply to them.

**Mr. Peter Tabuns:** So it effectively—

**The Chair (Mr. Dave Smith):** Yes, continue, Mr. Tabuns.

**Mr. Peter Tabuns:** So it effectively allows any of these entities—the municipalities, local boards, school boards—to say, “Schedule 9 doesn’t apply to us in our relationship with our employees.” Is that correct?

**Mr. Trevor Rands:** It would mean that subsections (1) through (4) would not apply to them.

**Mr. Peter Tabuns:** I don’t have further questions, but others may. Thank you, Chair.

**The Chair (Mr. Dave Smith):** Any further discussion? Mr. Arthur.

**Mr. Ian Arthur:** So just to be clear, then, the municipality or the board would have to decide to opt out of this.

**Mr. Trevor Rands:** Any of the entities—

**Mr. Ian Arthur:** As examples of the listed entities.

**Mr. Trevor Rands:** That’s correct. Any of the examples that are listed, any of those entities, could exercise the right to opt out.

**Mr. Ian Arthur:** Okay. I understand that now. But what about the union members themselves? Under this, is there any ability for them to influence that decision?

**Mr. Trevor Rands:** That would be up to them. That’s not something I can speak to. All I can speak to is what the proposal would do, and the proposal would provide the entity with the option to elect to opt out.

**Mr. Ian Arthur:** Okay. Then just on that it’s irrevocable, once a municipality has decided to either accept this or not, a municipality being an example of one of the entities listed, there can be no reversal of that decision at any point in the future?

**Mr. Trevor Rands:** No. The election itself is irrevocable, the election to opt out is irrevocable, but if you have a look at what’s proposed in the motion as subsection (11), if an entity has opted out, they’re not precluded from making an application under what is currently 127.2. That’s an application to the Ontario Labour Relations Board for a declaration that they are a non-construction employer.

**Mr. Ian Arthur:** Okay. Thank you very much for the clarification.

**The Chair (Mr. Dave Smith):** Mr. Schreiner.

**Mr. Mike Schreiner:** I just want to make sure I’m clear here. Any one of these entities has three months, essentially, to maintain the status quo, if they so choose, or opt in to the new provisions—I guess they automatically are opted in. So they have three months to say whether they want to opt out and maintain the status quo or not.

**Mr. Trevor Rands:** That’s correct. They don’t have to opt in.

**Mr. Mike Schreiner:** Right, because they’re automatically opted in.

**Mr. Trevor Rands:** That’s correct. It’s the election to opt out.

**Mr. Mike Schreiner:** Gotcha.

**The Chair (Mr. Dave Smith):** Mr. Tabuns.

**Mr. Peter Tabuns:** I don’t have further questions. I want to thank you. That was very, very useful to us.

**The Chair (Mr. Dave Smith):** Mr. Kramp.

**Mr. Daryl Kramp:** Maybe just for some clarity, we did listen, and the point on historical bargaining rights was heard loud and clear. Rather than have it open-ended—where does it start, where does it stop—we moved forward with this amendment. The proposed provisions would put the option there to certain entities so that it would not just be a yes/no. Those municipalities would have that option to preserve what they’re working with and/or take a look at the proposed new options. To my mind, it put a little bit of choice into the fact. We thought that was the way to go, after listening to the organizations and the groups that were here.

That’s it. Thank you.

**The Chair (Mr. Dave Smith):** Further discussion? Ms. Fife.

**Ms. Catherine Fife:** It's interesting that you've put this in here, because you're now bumping this decision down to the school board and the municipal level—

**Mr. Daryl Kramp:** No, we're not.

**Ms. Catherine Fife:** —to opt out.

**The Chair (Mr. Dave Smith):** Sorry, Mr. Kramp—  
*Interjection.*

**The Chair (Mr. Dave Smith):** You have to be recognized to speak. Sorry.

**Mr. Daryl Kramp:** Gotcha. Thank you.

**Ms. Catherine Fife:** What's really interesting is if schedule 9 passes, and even if this amendment to schedule 9 passes, the litigation that will happen at the provincial level—because it's precedent-setting that this would be happening across the province. By association, those municipalities and those school boards may get pulled into that litigation, because it just stands to reason that the respective unions, which are going to be fighting to maintain their benefits, are going to fight for those benefits. It's almost like you've been trying to create a back door to the back door of removing certification rights—as you are.

I can tell you that these debates that have happened at the school board at the municipal levels, especially coming from the region of Waterloo, where it has been very contentious—that's not going to be received very well, either, because they have a three-month window to either sign on or sign off. It's very true. It's absolutely true. And if you feel that they should have the opt-out option or the opt-in option, then you don't even need schedule 9 in the first place.

So you've created this line in the sand and then asked the municipality and the school board to jump over the line or jump back over the line. That's very interesting. That's sort of that grey area that I thought I wouldn't see.

With that, unless the debate is finished, I would ask for a five-minute recess, Chair.

**The Chair (Mr. Dave Smith):** Further debate? Mr. Schreiner.

**Mr. Mike Schreiner:** Would it be possible to potentially ask another question?

**The Chair (Mr. Dave Smith):** Yes, absolutely.

**Mr. Mike Schreiner:** Thank you. I don't know if you're able to answer this or not, but anyway, if, let's say, one of these entities voted to opt out—so let's say a few entities voted to opt out, but other entities took no action, or decided they wanted to opt in, and then the province is facing legal action: Would that then be more likely to expose those local entities to legal action because they didn't make the choice that others made to opt out? Do you understand what I'm asking? Would it increase their legal risk?

**Mr. Trevor Rands:** Unfortunately, that's not a question that I'm in a position to answer. The advice that I provide is to the government. It would also be very inappropriate for me to speculate on the content of any potential legal action or the implications of such an action on other parties.

**Mr. Mike Schreiner:** Fair enough.

**The Chair (Mr. Dave Smith):** Any further debate? Are the members ready to vote?

**Ms. Catherine Fife:** I would just ask for a five-minute recess.

**The Chair (Mr. Dave Smith):** We have a five-minute recess. The time now is 2:52. We'll reconvene at 2:57. If all members could please come back quickly. Once we have quorum, we will begin again.

*The committee recessed from 1452 to 1457.*

**The Chair (Mr. Dave Smith):** We're back from recess. What we are doing now is schedule 9, subsection 14(2). We'll be voting on amendment number 3. Are the members ready to vote?

**Ms. Donna Skelly:** Recorded vote.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

**The Chair (Mr. Dave Smith):** Those opposed, please raise your hand.

This amendment carries.

Shall schedule 9, section 14, as amended, carry?

**Ms. Donna Skelly:** Recorded vote.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

**The Chair (Mr. Dave Smith):** Schedule 9, section 14 carries, as amended.

Schedule 9, section 15: We have an amendment for it. Ms. Kusendova.

**Ms. Natalia Kusendova:** I move that subsection 15(2) of schedule 9 to the bill be struck out and the following substituted:

“(2) Sections 12 and 13 and subsection 14 come into force on a day to be named by proclamation of the Lieutenant Governor.”

**The Chair (Mr. Dave Smith):** Could you repeat that for me, please? Just from “Sections 12 and 13.”

**Ms. Natalia Kusendova:** “Sections 12 and 13 and subsection 14.1 come into force on a day to be named by proclamation of the Lieutenant Governor.”

**The Chair (Mr. Dave Smith):** Just to clarify, you meant “14(1)”, not “14.1”?

**Ms. Natalia Kusendova:** “Subsection 14(1).” My apologies.

**The Chair (Mr. Dave Smith):** Thank you. Any debate on this? Seeing none, are the members ready to vote?

**Interjection:** Recorded vote.

**Ms. Catherine Fife:** Is there any rationale? Is it housekeeping? Why are you making the changes?

**The Chair (Mr. Dave Smith):** Sorry. Ms. Fife, just because I need to recognize you for Hansard, would you like to repeat that?

**Ms. Catherine Fife:** Sure, yes, thank you. Just a question for the government side: Is there a rationale for

changing the section? The original act said, “Sections 12 to 14 come into force,” and now you’re saying, “Sections 12 and 13 and subsection 14(1) come into force on a day....” Is there any rationale?

**The Chair (Mr. Dave Smith):** Any further discussion? Mr. Arthur.

**Mr. Ian Arthur:** A question for legal counsel: If I’m reading this correctly, everything up to sections 12, 13 and 14(1) will come into force on the day that it receives royal assent, but the Lieutenant Governor can proclaim a separate day for these subsections of this?

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**Ms. Catherine Oh:** That’s correct. One of the motions added subsection 14(2), so what this does is it changes the commencement so that subsection 14(2) will come into force on royal assent, whereas subsection 14(1) would still come into force on the day to be named by proclamation, which is how it was prior to the addition of the new subsection.

**Mr. Ian Arthur:** Okay.

**The Chair (Mr. Dave Smith):** Any further debate? Seeing none, are the members ready to vote?

For schedule 9, subsection 15(2), amendment number 4—

**Ms. Donna Skelly:** Recorded vote.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Tabuns.

**The Chair (Mr. Dave Smith):** This motion, as amended, will carry.

Shall schedule 9, section 15, as amended, carry?

**Mr. Mike Schreiner:** Can I just—is there debate?

**The Chair (Mr. Dave Smith):** Yes, debate. Mr. Schreiner.

**Mr. Mike Schreiner:** I just wanted to be on the record: I’m going to still vote against this schedule because I don’t think the amendments sufficiently have made—

**The Chair (Mr. Dave Smith):** We’re dealing just with section 15 of schedule 9 at the moment.

**Mr. Mike Schreiner:** Oh, sorry. I thought we were doing the whole schedule.

**The Chair (Mr. Dave Smith):** Not the whole—

**Mr. Mike Schreiner:** I’ll take that back, Chair.

**The Chair (Mr. Dave Smith):** Any other debates? Are the members ready to vote?

**Ms. Christine Hogarth:** Recorded vote, please.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

**The Chair (Mr. Dave Smith):** Schedule 9, section 15, as amended, will carry.

Shall schedule 9, as amended, carry? Is there any debate on schedule 9 in its entirety? Mr. Schreiner.

**Mr. Mike Schreiner:** Thank you, Mr. Chair. Sorry about that.

**The Chair (Mr. Dave Smith):** It’s okay.

**Mr. Mike Schreiner:** I’m still planning to vote against this schedule because I don’t think the amendments have sufficiently addressed the concerns I have. I’ve already expressed those, so I won’t repeat them.

But I will acknowledge that the government has made an attempt to improve one section of it. I would just once again hope, as we move forward as a committee, that we have opportunities to have dialogue and conversation across parties to improve legislation because I feel like that’s what we’re here to do as committee members. I’ll acknowledge a small attempt to do so on this schedule, but it’s insufficient, in my opinion.

**The Chair (Mr. Dave Smith):** Further debate? Mr. Arthur.

**Mr. Ian Arthur:** I do appreciate that the government has said that they listened, although I feel that this is a half measure, and I feel that it’s a little bit of a game and a shuffling of responsibility that they’ve done here.

They’ve inserted the opportunity for a municipality or other entity to opt out of this. I wonder how much of this actually has to do with the potential legal challenges that the government was told that they probably would be facing with the schedule as it was written. Those legal challenges might now actually end up being directed at the municipality or other entities as listed because you’ve given them the choice about whether or not they can opt in or out of it.

So, I’m highly skeptical of the motivation behind this— if it was actually to recognize the rights of workers and unions or if this is playing a bit of a game to make sure that the behinds of the government are covered, in the case of this schedule that almost blatantly violated the charter.

I think that by doing this, you’ve made the municipality, or the school board, or whatever the entity is, the proverbial bad guy or bad girl, and not this government. You’ve bought yourself a little bit of an out on that, but the actual effect of this is going to end up being markedly the same. You’re putting the onus on the unions to now put pressure on those entities to choose to opt out of this in a very short period of time. Failure to do so—you would then say, “Well, the unions or the entities didn’t take us up on this opportunity. We awarded it to them.” It doesn’t actually solve the problems of the bill; what it does is it shifts responsibility off of the government and onto someone else.

We will absolutely be voting against this. You’re playing a game. It’s still not right. You’re still attacking workers’ rights, and they’re going to remember that.

**The Chair (Mr. Dave Smith):** Further discussion? Ms. Fife.

**Ms. Catherine Fife:** The comments by the two MPPs on this side around the amendment not going far enough—I feel very strongly about that, and I think you already know how I feel about all of schedule 9 in its entirety.

Removing overtime averaging: If people work overtime in the province of Ontario, they should get paid for that time. I think that the measures that have been taken with regard to the Employment Standards Act and the Ontario Labour Relations Act in this schedule will create more part-time, precarious contract work across the province. In fact, we heard from the construction council that it may create less safe work. We already have some serious issues in the province of Ontario with regard to worker safety.

But when I just go back to the original title of this bill, which is An Act to restore Ontario's competitiveness, I go to one of the comments that was put forward by one of the labour law firms, Goldblatt Partners. They warned: "Contrary to the Ontario government's claim that this bill will allow businesses to create" so-called "'good jobs,' the proposed amendments to the Employment Standards Act, 2000 and Labour Relations Act, 1995 would in fact intensify precarious employment and eliminate protections for thousands of Ontario workers."

I feel very strongly that this bill in its entirety, but schedule 9 in particular, is not in the best interest of Ontarians. By pushing down the decision around opting out of schedule 9 to municipalities and school boards—the city of Toronto already voted 20 to 2 to oppose this schedule of Bill 66, so they're going to actually have to go back and do that again.

But school boards across the province are policy governance boards. So this is going to go to the 72 school boards across the province, and they're going to have to decide within three months whether or not they're going to be a construction employer.

It shouldn't even be here. This debate shouldn't even be happening. Obviously, the way that the schedule is still going forward, legal action will be taken against this government. As I've said, the number one job creation that this government has been doing is creating more lawyers and giving more lawyers across this province lots of business. It's not going to improve our competitiveness, and it certainly isn't going to improve the way investors see the province of Ontario as a viable place to open a business and hire people.

**The Chair (Mr. Dave Smith):** Any further debate? Are the members ready to vote, then, on schedule 9, as amended?

**Ms. Catherine Fife:** Recorded vote.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 9, as amended, carries.

Schedule 10: Since there are no amendments to schedule 10, could we have consent to bundle sections 1, 2 and 3 together? Okay.

Schedule 10, sections 1, 2 and 3: Is there any debate? Mr. Tabuns.

1510

**Mr. Peter Tabuns:** Just for clarity: I understood the government was going to be withdrawing this schedule. Why are we voting on the elements in it if the whole thing is being withdrawn?

**The Chair (Mr. Dave Smith):** You would be voting to either have it carry or fail. It is part of the bill.

**Mr. Peter Tabuns:** Well, I'll just say that every part of this schedule is an abomination and should be voted against, and then the whole schedule should be obliterated. I find it extraordinary that a government would bring it forward. I'm happy to vote against it in every way that it's possible to do so.

**The Chair (Mr. Dave Smith):** Further debate? Ms. Fife.

**Ms. Catherine Fife:** It was my understanding that the government was just going to pull this entire schedule and we weren't going to go through this. But if we want to go through it, then let's have at it.

**The Chair (Mr. Dave Smith):** Any further debate? Mr. Parsa.

**Mr. Michael Parsa:** This was included as part of the bill that was presented back in December. Having heard the people, when we heard Ontarians, we decided to pull this out. They wanted it out and that's what we listened to and we have moved it out. So it is part of the process; it is part of the bill.

**The Chair (Mr. Dave Smith):** For clarification, then, it is part of the process. It must be voted out in order for it to be removed.

Are the members ready to vote?

**Ms. Christine Hogarth:** Recorded vote.

#### Nays

Arthur, Fife, Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Schreiner, Skelly, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 10, sections 1, 2 and 3, are lost.

Although I know they are lost, there is still a procedure we must go through. I know the answer to this question. Shall schedule 10 carry?

**Mr. Peter Tabuns:** Recorded vote on schedule 10 as a whole.

**The Chair (Mr. Dave Smith):** Are the members ready to vote?

**Mr. Peter Tabuns:** Yes. Recorded.

**Mr. Mike Schreiner:** Sorry, I just want to have a quick word before we do the final kill of this.

**The Chair (Mr. Dave Smith):** Mr. Schreiner. Yes, go ahead.

**Mr. Mike Schreiner:** I just want to put on the record that I want to sincerely thank the thousands of people



across this province who spoke out to protect Ontario's greenbelt, to protect our water and to protect other environmental, public health and land use protections across the province. I want to acknowledge and thank the number of municipalities that spoke out against this schedule and just say that water, farmland and natural spaces—protecting those should never be considered red tape. I'm pleased that it appears that we'll have a unanimous vote to pull out this schedule, and I just want to thank all the people who spoke out on this issue across Ontario.

**The Chair (Mr. Dave Smith):** Further debate? Mr. Arthur.

**Mr. Ian Arthur:** I would thank the government for listening to the people of Ontario on this one section of this and commend everyone in Ontario who came together. The opposition to this was broad and from almost every sector of the population, from AMO to the OFA, from farmers to environmental activists. It was quite remarkable that they all agreed how terrible this section was, and I am glad that the government has listened to all those different voices on this.

That's all, Chair. Thank you.

**The Chair (Mr. Dave Smith):** Are the members ready to vote, then?

#### Nays

Arthur, Fife, Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Schreiner, Skelly, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 10 is lost.

Schedule 11: There are no amendments for schedule 11. Could I have consent, then, to bundle sections 1 through 4 of schedule 11?

Is there any debate, then, on schedule 11, sections 1 through 4? Ms. Fife.

**Ms. Catherine Fife:** Again, this is another schedule that doesn't necessarily fit in this piece of legislation. Just for the record, what it does, though, is it amends the Private Career Colleges Act so that the superintendent must specify the term of registration or renewal of a registration. The superintendent may also remove or direct the removal of information published under section 49 of the Private Career Colleges Act, possibly reducing transparency and public accountability.

I don't know if folks have followed this very carefully across the province, but there have been a number of private colleges that have really betrayed the interests of their students in the communities and promised them a certain diploma, a certain level of education. Those are bad actors, obviously, in the province. Then there are private colleges that actually want to have greater acknowledgement about the work that they're doing and want improved transparency and accountability, obviously to attract more students.

I think, for us, this potentially opens the door to reducing transparency and public accountability in private colleges. For that reason, we're not going to be supporting

it. We think that transparency and accountability for these institutions—the bar should be raised, not lowered.

**The Chair (Mr. Dave Smith):** Any further debate? Are the members ready to vote, then, on schedule 11, sections 1 through 4?

**Ms. Catherine Fife:** Recorded vote, please.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 11, sections 1 through 4, will carry.

Shall schedule 11 in its entirety carry? Any discussion?

**Mr. Michael Parsa:** Recorded vote.

#### Ayes

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

#### Nays

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 11 carries.

Schedule 12: There are no amendments to it. Could I have consent, please, to bundle sections 1 through 5?

For schedule 12, sections 1 through 5, is there any discussion? Mr. Schreiner.

**Mr. Mike Schreiner:** Yes. I'll say this is actually an example of reducing paperwork and red tape to make life easier for truck drivers. Most of the rest of Bill 66, I don't see as reducing paperwork and red tape, but this one seems to be an example of that. I thought it would be important to acknowledge that.

**The Chair (Mr. Dave Smith):** Ms. Fife.

**Ms. Catherine Fife:** It was really good to actually hear from the Ontario Trucking Association on this issue, but I am also happy that they brought other issues to the fore when they were here as a delegation, because the shortage that we're going to see around potential truckers in the province of Ontario is a very real issue. I was encouraged that the parliamentary assistant for this file said that they're going to look into expanding the immigration partnership for future employees, because if there are 10,000 jobs, those are jobs that need to be filled, and there are certainly new immigrants who would love to come here and take those jobs.

**The Chair (Mr. Dave Smith):** Further discussion? Are the members ready to vote?

**Mr. Michael Parsa:** Recorded vote.

**Ayes**

Arthur, Fife, Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Schreiner, Skelly, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 12, sections 1 through 5, carry.

Again, as procedure, shall schedule 12 carry? Any discussion? Mr. Parsa.

1520

**Mr. Michael Parsa:** I wanted to just quickly discuss the importance of this bill and why this bill was put forward. During the election, many of us consulted with our constituents, as I did, and I can tell you that job creation was a huge factor in our province. We made a promise, when we were to come in, to consult with the people, move around, talk to the businesses and—

*Interjection.*

**The Chair (Mr. Dave Smith):** We are on schedule 12.

**Mr. Michael Parsa:** Yes.

**The Chair (Mr. Dave Smith):** Okay.

**Mr. Michael Parsa:** This bill, the entire bill, was tabled back in December.

**The Chair (Mr. Dave Smith):** There will be an opportunity to speak on the entire bill. We're just speaking on schedule 12 specifically.

**Mr. Michael Parsa:** Sorry. I apologize, Chair.

**The Chair (Mr. Dave Smith):** Any further debate on schedule 12? Seeing none, are the members ready to vote?

**Ms. Christine Hogarth:** Yes. Recorded vote.

**Ayes**

Arthur, Fife, Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Schreiner, Skelly, Tabuns.

**The Chair (Mr. Dave Smith):** Schedule 12 will carry.

Since we have dealt with all of the schedules, we'll go back and deal with the other sections of the bill that we delayed. Are there any comments, questions or amendments to any section of the bill—

*Interjection.*

**The Chair (Mr. Dave Smith):** Let's bundle sections 1, 2 and 3 together since there don't seem to be any amendments to any of those. Can I have consent for that, please?

**Ms. Catherine Fife:** So where are we?

**The Chair (Mr. Dave Smith):** We're at the very beginning of the bill, so the title, the commencement, and so on.

**Ms. Catherine Fife:** Okay. Thanks.

**The Chair (Mr. Dave Smith):** Section 3 is the short title of the bill, not the entire title of the bill. Any discussion or comments on sections 1, 2 or 3? Ms. Fife.

**Ms. Catherine Fife:** I think you know by now that we really don't think that this bill actually will restore Ontario's competitiveness, based on the debate over the course of the day, so that's my comment on the short title of this act. It's misnamed.

**The Chair (Mr. Dave Smith):** Any other comments? Are the members ready to vote? Shall sections 1, 2 and 3—

**Mr. Michael Parsa:** Recorded.

**Ayes**

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

**Nays**

Arthur, Fife, Tabuns.

**The Chair (Mr. Dave Smith):** Section 1, section 2 and section 3 will carry.

Shall the title of the bill carry?

**Mr. Peter Tabuns:** No.

**The Chair (Mr. Dave Smith):** Any discussion?

**Ms. Donna Skelly:** Recorded vote.

**The Chair (Mr. Dave Smith):** Seeing none, are the members ready to vote?

**Ayes**

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

**Nays**

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** The title of the bill carries.

Shall Bill 66, as amended, carry? Any discussion? Mr. Parsa.

**Mr. Michael Parsa:** Thank you very much, again; appreciate that. Chair, the intent of this bill was to reduce red tape and make Ontario more competitive again, to create more jobs in our province, because we had seen that the province was falling behind compared to other jurisdictions nearby, within Canada and outside Canada, just close to us.

When we got elected, we made a mandate and we travelled. I personally was one of those caucus members. I travelled across the province and talked to many, many businesses. In fact, I personally conducted more than 40 round tables with all kinds of businesses all across the province, as did my other colleagues. Many of them joined me at these round tables. The one thing that we continuously heard from these job creators was that the red tape and the excessive regulation was hurting their business. As a result of hurting their businesses, we were losing jobs in Ontario. The people rely on us to make the right decisions, to make sure that we create the right jobs, which is why we wanted to act quickly, which is why we wanted to put bills forward that would reduce and eliminate those regulations that are hurting those job creators. That's the intent behind this bill.

As most of you know, I always want to work with all members, and I will continue to do so even better, as I get

better and better in this House. But one of my honourable colleagues across continuously talked at length about various sections of this bill. My question is—this bill was tabled in December. In fact, I think it was December 6. It was out there on December 6. The time allocation motion was moved in early March, and not a single amendment was put forward by the NDP—not one, right? Not a single amendment was put forward by the opposition.

If we're going to be working together, and if we're going to do things for the province, you're going to have to be—we have funding at our disposal, all of us, to be able to provide research and for us to be able to put our ideas forward before we get to this point.

I just wanted to thank you all and thank the process. I really appreciate it.

**The Chair (Mr. Dave Smith):** Further debate? Mr. Tabuns.

**Mr. Peter Tabuns:** I find it extraordinary to hear those remarks. The first thing is, I don't see where you're cutting red tape when you're reducing protections for children. That's not just some bureaucratic problem that has taken up time; it's whether or not there are enough adults in a room to get kids out of a building when there's a fire. We went through the hearings on this after we went through the Ombudsman's report. It's very clear. There are only so many kids you can get out in a timely way if there's an emergency.

There's no red tape here. Let's be really clear. It wasn't tons of people having to fill out a thousand forms to be able to have another child in their care during the day. What you've done is, you've reduced protection for children. That's what has happened. There's no red tape. There's no competitiveness. We're not competing with American jurisdictions for the number of kids that could be stuck in a living room during the day. What you're doing is making sure that there's greater risk for those children.

Again, there's no red tape with giving tenants protection against sub-metering companies that may well be taking them on and beating them up. People have probably seen the reports in Global News about a student residence, I think, in St. Catharines, where four students in an apartment were given four identical bills for the electricity meter, which quadrupled the amount of money that would be charged. Rather than splitting the bill four ways between the four students, they each got an identical bill. Those students were being taken advantage of.

Then when the students complained, they were told they could get free money from the Ontario Electricity Support Program, that they could apply for a reduction. They were told by the metering company—an abuse of public funds, but you don't want to regulate them. You want to let them rampage and defraud people all over this province because you don't want to look at them.

That's not getting rid of red tape. Red tape is unnecessary regulation, complicated procedures. But what you've said is, "You know, if you're someone who pays a hydro bill and you don't own your own house, good luck, because we're going to let people fleece you."

I was in this building when we dealt with energy marketers, door-to-door electricity and gas marketers. It took years to get the Liberals to move on regulating them because they were stealing from seniors, they were stealing from people who were new Canadians and had limited English skills. In my riding, they stole from people who were blind. They literally put their signatures on contracts.

So you're not getting rid of red tape; what you're doing is, you're clearing the field for those who want to take advantage of people who live in multi-unit buildings. That's what's happening. To call this pro-competitive is Orwellian, and that's the kindest I can be.

This bill is an abomination. It should be defeated. There aren't a lot of amendments to make when you see a hot, steaming mess like this; you just try and clean it out of the way.

**The Chair (Mr. Dave Smith):** Further debate? Mr. Arthur.

**Mr. Ian Arthur:** I know the government is fond of saying, "Why didn't the NDP bring forward amendments? Why aren't they willing to work with us on this?" If we had brought forward amendments—what is it? Nine full withdrawals out of 12: That's what that would look like. That's not a reasonable thing to do. We know that you're not going to listen to us on that. They're empty words. It's not a real olive branch that you're putting out to us as members of the opposition. You're trying to create that narrative in the media, certainly, but it's not real.

There is no part of certain sections, particularly the child care one, that any member of this opposition is ever going to support. We can't fix that, other than saying, "Withdraw all." This is the problem when you bring together so many disparate subjects and things under one bill. You try to make it hard for us to oppose it by doing that. You bring together things that are not related in any way so that you can claim that we weren't willing to work with you because there are some things that you know we do support, which we did on an individual basis. But when you lump it with everything else that is in here, including the reprehensible protections of children, you're doing a disservice to the jobs that we are supposed to be doing here. That is what you really are doing. I'm sorry, MPP Parsa, but the words ring hollow. It's a narrative you're trying to create, and it is not reflective of what is actually in here.

We will vote against all of it. As long as you continue to bundle bills together that don't make sense, that aren't related, then it will be very difficult for me to work with you on that.

**The Chair (Mr. Dave Smith):** Further debate? Mr. Schreiner.

**Mr. Mike Schreiner:** I just want to take a moment, before I make my final comments, to extend a thank you to the Chair for your guidance and support in helping me navigate how to be a fuller participant in this committee, and I want to thank the government and the official opposition for passing the unanimous consent motion to at

least allow me to ask questions of witnesses. I think that is an example of cross-party accommodation. I'd like to thank all members of the committee and your respective parties for supporting that. Hopefully, we don't have to deal with that again in the future.

In regard to Bill 66, if you look at the best-performing economies around the world, all of them place high priorities on protecting the public interest, protecting workers' rights, public health, water, farmland, natural heritage and our natural assets. All the leading businesses around the world recognize that the best places to invest are places that protect the people and places they love, because that's where people want to live. That's where people want to invest. That's where they want to build businesses and create jobs, because those are the kinds of communities people want to live in. That's not red tape. Red tape is something that's in schedule 10, where you have something that's clearly outdated. I can tell you, my dad, in addition to running a farm, ran a trucking business. Filling out those paper logbooks is a pain. Now that we have technology so that we don't have to do that anymore, it makes a lot of sense to update that. I've had businesses come to me just this week, renewable energy companies, saying, "We don't want any government subsidies, FIT programs or any of that. We just want the red tape out of the way that's preventing us from actually conducting our business." That's red tape. But child care ratios, farmland protection, labour rights, people's pensions and benefits—to me, that's not red tape.

I'm more than happy to work with the government and work with the official opposition on truly reducing red tape—paperwork, burdensome outdated regulations—but not at the expense of essential protections that make Ontario the wonderful place it is to live and such an amazing place to invest. I believe that's how we're going to attract high-quality businesses: a race to the top, not a race to the bottom.

So I'm going to be voting against Bill 66, and I would really encourage the government to rethink its position on Bill 66 as well.

**The Chair (Mr. Dave Smith):** Any further debate? Ms. Fife.

**Ms. Catherine Fife:** I think that it was a very long day for not only us but for the government members in that, for some reason, you weren't allowed to or permitted to participate in this debate. I have to say, I think that that is very concerning for people.

Aside from the last comment by MPP Parsa, with regard to not putting forward amendments—you cannot amend a bill that is this flawed. We would be here for the rest of the year. Schedule 3 was a non-negotiable schedule. Schedule 5, repealing the Toxics Reduction Act, was a non-starter for us. Schedule 9, which I think was one of the more heated debates I basically had with myself this afternoon—you can't make that better. You can't. You can go through the motions of trying to say that you've consulted on it, but it didn't pass the test on that one.

This is a bill that strips away protections that stop tenants from getting gouged on their hydro bills. It takes

away protections from our parents and our grandparents by making it even easier and less transparent for long-term-care homes to get a licence. It's a patchwork piece of legislation which does not achieve the goal of the title. We see safety regulations as very different than red tape. We do. This piece of legislation doesn't even reduce that much red tape, but it does attack the rights of workers in the province of Ontario and even consumers. It fails to protect the rights of consumers who are seeking wireless contracts with plain language. I mean, that's the bottom of the barrel. And those 4,000 emails that came into my office, they are legitimate concerns.

Finally, just to say that red tape—you heard from people, especially on schedule 3, that this is hurting their business. We don't see caring for children as a business. Changing the ratios for two-year-olds in home care fundamentally changes the safety standard for those children. I hope that nothing happens. I hope that nothing happens to those children, because we obviously feel very strongly that those ratios are important to the safety of children in the care of licensed and unlicensed child care.

We will not be supporting this legislation. It was a non-starter to begin with. We really did try to work with the government throughout the first debate. You can't amend a piece of legislation like this. It's just impossible. It's too flawed.

**The Chair (Mr. Dave Smith):** Further debate? Mr. Arthur.

**Mr. Ian Arthur:** One final point to add: I know the bill was brought forward in December and there was a significant amount of time, but the time allocation, I think, really speaks to the input the government is willing to actually accept on this: one day of testimony, the fact that we had to have all the submissions sent to us digitally because there were just too many for us to print, so many organizations that wanted to come and testify and give their opinion on this and weren't able to because of the time allocation motion.

1540

That's not working with the opposition and that's certainly not working with the people of Ontario, giving them a voice at committee, which is where they're supposed to do this—one day of hearings in only Toronto on a bill that is going to touch the lives of every Ontarian in every corner of this province. It should have been travelled. It should have had more public input. But that, I think, speaks volumes about what the government was actually willing to do in terms of input and working with other groups on this bill.

**The Chair (Mr. Dave Smith):** Further debate? Ms. Skelly.

**Ms. Donna Skelly:** I just wanted to speak to one thing and make it very clear. First of all, I am fully in support of this bill, and I do believe it will help us achieve our objective, which is to create jobs, good-paying jobs, and to make Ontario truly open for business once again.

I want to set it straight that we could have all spoken at any time. We were not given a directive not to.

I also want to say that despite the fact that you had an opportunity to provide amendments, you did not. I find that incredible. I also think it's incredible that we had to have legal counsel come in and explain to you our amendments when you've had them in your possession. That is up to you. You didn't do your job. To sit here and accuse us of not—

*Interjection.*

**Ms. Donna Skelly:** You didn't. To sit here and accuse us of simply being gagged, to not discuss anything with you, is erroneous. I simply wanted to put that on the record. Thank you.

**The Chair (Mr. Dave Smith):** Further discussion? Ms. Fife.

**Ms. Catherine Fife:** Asking for clarification around an amendment is actually a smart thing for a legislator to do. What is not smart for a legislator to do is to abscond your responsibility to the federal level on the environment, for instance. That's not a smart, responsible thing for a lawmaker to do.

If you don't understand how flawed this bill is, then clearly it's going to be a long three years, three months and two days, because this is not how strong legislation is crafted.

**The Chair (Mr. Dave Smith):** Any further debate?

So that the record is clear, we do have legal counsel available at all committee meetings to clarify any questions that anyone may have.

Shall Bill 66—

**Mr. Peter Tabuns:** Recorded vote.

**Mr. Michael Parsa:** I apologize. One last comment.

**The Chair (Mr. Dave Smith):** Mr. Parsa.

**Mr. Michael Parsa:** I promise I'll be very, very quick. Once again, the intent behind this was to remove red tape, and we consulted. We consulted heavily with various sectors on how we can improve. We were losing jobs by the thousands in this province, Chair. The previous government did nothing about it. In fact, they sat back and let all those jobs disappear and leave this province. We weren't going to let that happen. We wanted to make sure that if you wanted to work in this province, you were going to have an opportunity to do so—not just any, but good-paying jobs.

We will never sacrifice the safety and security of Ontarians. We will always defend it to our best, but we want to make sure that Ontario is once again an attractive place to the rest of the country and all over the world, for them to know that Ontario is truly open for business and open for jobs.

That was the intent, and we've seen the numbers over the last few months: jobs being created in this province, because people once again have confidence in the government here. They have confidence in our province.

**The Chair (Mr. Dave Smith):** Any further debate? Are the members ready to vote? Shall Bill 66, as amended, carry?

**Ms. Catherine Fife:** Recorded vote.

**Ayes**

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

**Nays**

Arthur, Fife, Tabuns, Schreiner.

**The Chair (Mr. Dave Smith):** Bill 66, as amended, carries.

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

**Mr. Peter Tabuns:** No.

**The Chair (Mr. Dave Smith):** Is there any discussion? Seeing no discussion, are the members ready to vote?

**Mr. Peter Tabuns:** I'll take a recorded vote.

**Ayes**

Hogarth, Kanapathi, Kramp, Kusendova, Parsa, Skelly.

**Nays**

Arthur, Fife, Schreiner, Tabuns.

**The Chair (Mr. Dave Smith):** It carries.

Thank you very much to all of the committee members for your work on this. We will report this bill to the House tomorrow afternoon. We are adjourned.

*The committee adjourned at 1546.*





## **STANDING COMMITTEE ON GENERAL GOVERNMENT**

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Ms. Catherine Fife (Waterloo ND)

Mr. Michael Parsa (Aurora–Oak Ridges–Richmond Hill PC)

Ms. Donna Skelly (Flamborough–Glanbrook PC)

Mr. Peter Tabuns (Toronto–Danforth ND)

### **Also taking part / Autres participants et participantes**

Mr. Trevor Rands, crown counsel,

Ministry of the Attorney General

### **Clerk pro tem / Greffière par interim**

Ms. Valerie Quioc Lim

Ms. Tonia Grannum

### **Staff / Personnel**

Ms. Catherine Oh, legislative counsel