

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

**Official Report
of Debates
(Hansard)**

No. 39B

**Journal
des débats
(Hansard)**

N° 39B

2nd Session
42nd Parliament

Thursday
3 March 2022

2^e session
42^e législature

Jeudi
3 mars 2022

Speaker: Honourable Ted Arnott
Clerk: Todd Decker

Président : L'honorable Ted Arnott
Greffier : Todd Decker

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



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

ISSN 1180-2987

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LEGISLATIVE ASSEMBLY
OF ONTARIO

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ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

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PRIVATE MEMBERS'
PUBLIC BUSINESS

JOBS AND JABS ACT, 2022

LOI DE 2022 SUR L'INCIDENCE
DU STATUT VACCINAL SUR L'EMPLOI

Mr. Baber moved second reading of the following bill:

Bill 6, An Act to amend the Employment Standards Act, 2000 with respect to reprisals respecting the vaccination status of employees / Projet de loi 6, Loi modifiant la Loi de 2000 sur les normes d'emploi en ce qui concerne l'interdiction d'exercer des représailles en raison du statut vaccinal des employés.

The Acting Speaker (Ms. Jennifer K. French): Pursuant to standing order 101, the member has 12 minutes for his presentation.

Mr. Roman Baber: I rise today with an opportunity for this Parliament to try and redeem itself against one of the greatest injustices in 21st-century Ontario. The vaccine mandates—submitting one's self to a medical procedure as a condition of employment, the ability to put a roof over your head or put food on your table—is one of the greatest assaults on Canadian democracy and human rights. But at its core, the thought of mandates must be offensive to human decency. It's distasteful and it's wrong.

Pope Francis said in 2015 that work is sacred, work expresses human dignity, work is hope. I believe that work is an opportunity, work is the most equitable and fair metric in a free society.

My bill, the Jobs and Jabs Act, is not giving out hand-outs or benefits. It recognizes the dignity of work and rectifies the injustice—the senseless, unscientific and repugnant injustice unleashed on hundreds of thousands, if not millions of Ontarians.

The bill amends the Employment Standards Act to prohibit employers from intimidating, dismissing, placing on leave or penalizing employees because of their vaccination status. The protection of the bill is retroactive to September 1st. In plain English, the bill protects employees against mandates.

Now, I'm in favour of voluntary vaccination, and that was our choice, Madam Speaker. But we never forced anyone to do anything against their will. Medical choice should not lead to unemployment. Ideological opponents to Bill 6 will say that freedoms are only guaranteed to a

reasonable extent. Indeed, that is true, Madam Speaker. The charter I love and lecture on provides that rights prescribed are limited to such reasonable extent as can be justified in a free and democratic society. Private workplaces may not even be subject to the charter, but they are subject to human rights legislation.

But the question to address is whether the mandates can be reasonably justified. My opponents say that it's not a question of freedom, but the reasonable limits on freedom, imposed because of COVID-19. For almost a year, the government, public health and celebrity doctors suggested that healthy human beings are putting others at risk. This was repeated by the Minister of Health in this House. It led to unprecedented hate and division in our province.

But, much like many opinions and recommendations expressed by the government and public health, it's proven to be false. A year-long study out of the UK reported in Bloomberg found that “vaccinated people are just as likely as unvaccinated people to spread the Delta variant to contacts in their household.”

By memo of August 31, 2021, from the chief medical officer to medical officers across the province, Dr. Moore confirmed that the vaccinated have similar levels of infectiousness as the unvaccinated. He then proposed additional restrictions on the vaccinated.

But the single most important argument on which this false allegation is predicated came from the suggestion that the vaccinated are less likely to be infected and therefore are less likely, statistically, to transmit the virus. But the premise, the linchpin on which this argument was built, was false.

On February 3, 2022, the chief medical officer acknowledged that two shots offer minimal protection against infection. There is minimal difference in the risk of infection between the vaccinated and unvaccinated. So the suggestion that someone's risk of transmission is lower because their risk of infection is lower cannot be maintained. It's false. It was always false, and it was always distasteful. No one is putting others at risk.

The vaccine was not meant to and does not prevent transmission or infection. The risk of the virus depends on personal characteristics like age, comorbidities, pre-existing conditions and metabolic health. It does not depend on who stands next to you at the assembly line or sits next to you in a cubicle. This is why two days ago Ontario did away with the passports—21st-century discrimination and segregation gone, as if it was all a dream.

Because the passports don't make sense. They never did. They don't prevent transmission and they didn't prevent the last lockdown. We were told that once 70%, 80%, 90%

of us are vaccinated that we will go back to normal, to the things we love. But of course, that turned out to be false, and the passport did nothing except exclude Canadians and leave a stain on our history.

If passports don't make sense, then neither do the mandates. So why allow them? Why leave them in place? So people can feel comfortable? Because of people's feelings? Or because this government doesn't want to admit mistake? For the tens of thousands of Ontarians who were suspended or fired, or even more Ontarians who quit or retired or moved altogether, this is not a dream. This is a nightmare—careers ended; dreams shattered; houses lost; marriages broken.

The mandates are not demonstrably justifiable. They don't do anything except ruin lives and pit Canadians against one another.

In addition to the Prime Minister's hateful rhetoric, the federal government is denying Canadians that fell victim to mandates employment insurance. Honest, well-meaning Ontarians who paid into the system and just want to work are left destitute. The hateful approach of this misguided policy compromised Canada's social safety net.

The Premier was asked if it was right that workers who are fired because of mandates don't receive unemployment insurance. The Premier responded that that was a federal responsibility. Shame on him. Shame on this government and any member that supports leaving families without income because of their lawful medical choice.

This government, which campaigned on "open for business" and "open for jobs," needlessly sentenced countless Ontarians to unemployment. And why? Because of politics and cancel culture. Because none of them have the courage to join me and say this is wrong. The Minister of Labour, who pretends to stand up for workers, allowed the greatest catastrophe in Ontario's labour history. The independent Liberals: The Liberal Party that traditionally stood for democratic values, for individual rights now says, "Conform to our collectivism or lose your job and be cut out of society." The NDP, the no democracy party, abandoned workers. The leader of the NDP first said that she believed in people's legal right to make a choice, but folded under 24 hours under political pressure. All of this insanity is driven by politics, Twitter and fear, and by the desire of elected members to put careers ahead of the interests of the people that they serve.

To all those watching at home, the vast majority of MPPs here agree with me, but they have no courage to do the right thing. They might pass the bill today on second reading, but they may not allow it to become law by blocking third reading. If so, it will all be an act, a show. And they have no shame.

Our jobs and jabs petition is at 165,000 names. They get your emails, they get your phone calls, but they don't have the courage to call you back. Now is an opportunity to make things right. But I expect that the government or the opposition will make excuses.

One of the complaints is that the bill is retroactive to September 1. But why shouldn't it be? If it's a unionized

environment, it will save time and money on labour arbitration, and folks will be reinstated. If it's a non-unionized environment, it will determine the legal question, if it was a dismissal without cause. That is a good thing. There's unlikely to be a financial fallout or burden on business, because businesses can mitigate damages by hiring people back. It will simply restore everyone's position to their original position. If the employee doesn't want to go back to work, they fail to mitigate and they lose on severance. This is basic employment law. Let's be adults and work this out.

1810

I asked the Minister of Labour to come and negotiate the bill. I invited him to offer amendments so we can pass it. He didn't get back to me. Any technical or substantive objections to the bill can be worked out. If the bill passes second reading tonight, it doesn't make it law until it passes third reading.

Folks at home should understand that this Parliament will adjourn in six weeks, and the government House leader, the member from Markham–Stouffville, will not allow my bill into or out of committee. We must stay on them. I will attempt to move the bill to third reading on Monday if it passes tonight, but make no mistake: The bill, the mandates and the future of workers are in the hands of this government. They're in the hands of this Premier and the Minister of Labour. If they agree with the Jobs and Jabs Act and pass it on second reading, but claim that there's a procedural reason why it couldn't become law, then the government can propose and pass its own bill, using its parliamentary majority.

To the workers at home, I'm being technical because I want you to understand the charade that this government engages in. They are spin masters. They don't care about jobs, they don't care about families. They care about looking good and sounding good. They care about looking just a little better than the opposition so they can get re-elected on June 2. They put politics before people, or else they would do away with the mandates today.

Speaker, through you to every member here: History will judge you. If you refuse to admit mistakes, or capitulate to the political pressure and put yourself before your constituents, then don't stand for re-election. Go do something else. We know the mandates are wrong and ineffective. Too many Ontarians were fired or suspended; too many resigned or retired. Too many careers were needlessly ended. Too many families are unable to pay their mortgage or rent because of these mandates. They caused irreparable damage to our community and to our country.

It's time to end this division. It's time to let families heal. It's time to let everyone back to work. Let people work—#LetPeopleWork. Let Canadian opportunity shine. Let human decency prevail.

I ask every member here, let's end these mandates now. Let's end this nightmare.

The Acting Speaker (Ms. Jennifer K. French): Further debate?

Ms. Peggy Sattler: I rise to participate in the debate on Bill 6 on behalf of the official opposition.

Speaker, this bill defines “vaccination status” as meaning “any information respecting any vaccines that have been administered to an employee.” That’s a problem when we know that Health Canada has recommended that vaccinations be required for a range of workers in many different workplace settings. Workers in these settings can be exposed to vaccine-preventable diseases, and getting the recommended vaccines protects not only themselves but everyone around them by reducing the transmission of infection to others. For health care workers, Health Canada recommends vaccines for diphtheria, tetanus, hepatitis B, influenza, measles, meningococcal, mumps, pertussis, polio, rubella and varicella.

Health care workers in Ontario have, in fact, been long required, under protocols developed by the Ontario Hospital Association and the Ontario Medical Association, to have immunity to certain diseases before they can even apply for a job in an Ontario hospital. Requiring vaccination for health care workers in high-risk settings like hospitals and long-term-care homes is not something new that is only associated with COVID-19. These mandates have been in effect for more than two decades across Canada and the US. That is the evidence that the Ontario COVID-19 Science Advisory Table used to be able to conclude conclusively that requiring hospital workers to be vaccinated is an evidence-based policy that protects Ontarians.

COVID-19 is also not the first or only vaccine that involves getting a booster or updating the vaccine. As we all know, a new flu shot is required each year to maintain immunity to new strains, and influenza vaccination mandates have hugely increased uptake of the vaccine among health care staff, as they have now done for COVID-19 vaccination. And Speaker, that protects Ontarians.

In some cases, health care workers are required not just to self-report or provide documentation of their vaccination, as they have been required to do for COVID-19, but to actually have their immunity to certain diseases assessed through blood work and to get booster doses for any number of vaccines as needed. That’s how much risk there is for them, their co-workers and their patients of being exposed to and spreading certain preventable diseases.

Speaker, our concern is that this bill would require hospitals to potentially—because it is changing the Employment Standards Act—rehire staff who may have been terminated for not being vaccinated not just for COVID, but for varicella, measles, rubella, meningitis, mumps, tuberculosis and other diseases. Speaker, can you imagine how that would shake the confidence of people in this province who need medical care? Ontarians should not have to worry that they may be putting themselves or their families at greater risk of illness or death when they go to an emergency room or are admitted for surgery in this province.

While Bill 6 includes an exemption for people who work in child care, it fails to recognize that unvaccinated health care workers risk exposing Ontario’s largest completely unvaccinated population, newborn babies, to preventable diseases. Think of the fear that parents would have delivering their baby or bringing their sick or injured

newborn to a place where they may be exposed to something that that infant has no immunity to.

Speaker, I have heard, as I suspect you have as well, from members of my riding—of my community—a palliative care patient, someone living with AIDS, both of whom are severely immunocompromised, who felt they had no choice but to cancel the home care visit that they needed during the pandemic because they could not be guaranteed that the person coming into their home was vaccinated against COVID-19. They were forced to choose between protecting themselves from a virus that might risk their lives and having someone help them to do things like get out of bed, have a shower, use the toilet, change bandages or administer their vaccinations. This is the choice that this bill would be forcing on people looking to access a wide range of services.

Health Canada also recommends that a number of other categories of workers be required to have vaccinations: workers in laboratories; emergency services workers; child care and education workers; people who work with animals or materials from animals; humanitarian relief and refugee workers; people working in institutions for the developmentally challenged; correction workers; workers in closed settings, like cruise ships; workers who provide essential community services; staff at homeless shelters; military personnel.

People with disabilities and their families should not have to worry that when they live in supportive housing they are putting themselves at risk of contracting preventable diseases, especially given that many of those residents may be at high risk of developing complications if they contract those diseases. That’s why Health Canada says that workers in those settings should receive all vaccines recommended for adults, including an annual flu shot.

Nobody who relies on homeless shelters or who is in a correctional facility or accessing essential services in this province should feel that they are putting themselves at risk. This bill, by restricting workplaces from having the ability to protect everyone who works there and the people they serve, would be putting Ontarians at risk. That’s why, during the COVID-19 pandemic, workplace vaccine mandates have been consistently upheld by arbitrators, because of the importance of maintaining safe workplaces and minimizing risks to employees and the public.

1820

I want to read from a couple of recent arbitration decisions. Arbitrators have been definitely erring on the side of caution and recognizing that individual rights to refuse vaccination do not equate to a right to jeopardize the health and safety of others. One chief arbitrator, John Stout, said, “Prohibiting employees from attending work if they do not provide proof of vaccination or a negative COVID-19 (rapid antigen test) is fair and reasonable in the circumstances of this pandemic.”

Arbitrator Norm Jesin said the “weight of authority” supports vaccine mandates in the workplace to reduce the spread of COVID-19, particularly where employees work in close proximity. He went on to reinforce that it’s the “duty of employers to take any necessary measures for the

protection of workers” as set out in the Occupational Health and Safety Act.

The Ontario Human Rights Commission issued a policy statement confirming the permissibility of vaccination requirements. They stated that “mandating and requiring proof of vaccination to protect people at work or when receiving services is generally permissible under the Human Rights Code ... as long as protections are put in place to make sure people who are unable to be vaccinated for code-related reasons are reasonably accommodated.”

Speaker, we also know that the vast majority of workers who worked in workplaces with vaccine mandates did the right thing and they got vaccinated. In my community, the London Health Sciences Centre said that less than 1% of their staff were terminated because of vaccination requirements, and that was across all departments and all job types, not just staff who were directly involved in patient care. So that means it had virtually no impact on operations. What it did, Speaker, instead, was give patients and family members the security of knowing that they were being cared for by vaccinated staff, and it gave health care workers the assurance that the person they are working alongside is also vaccinated.

We know that in January when the government was considering forcing hospitals to rehire unvaccinated staff, the Ontario Hospital Association’s CEO, Anthony Dale, said, “Quite simply, many staff members will refuse to work with the small number of health-care workers that did not comply with hospital policies given the risk that they pose to themselves and their patients, thus greatly exacerbating the staffing challenges that hospitals are currently facing.”

Doris Grinspun, CEO of the Registered Nurses’ Association of Ontario, noted that “99% of nurses do not want to work next to a nurse who is not fully vaccinated.”

In response to people who argue that rehiring unvaccinated staff would help with workplace shortages, Anthony Dale said, “The (health human resources) challenges facing the province were in place long before the implementation of mandatory vaccination policies and they cannot be solved by simply rehiring the small number of employees that did not heed the call to get vaccinated.”

There is also the concern that unvaccinated health care workers would be at a greater risk for more serious infection and longer infection, leading to more work disruptions and more staffing shortages. That’s not to mention the thousands of health care workers who may have left their employment because they didn’t feel safe at work with unvaccinated co-workers. I know I heard from nurses in my community, nurses and other health care workers, child care workers, teachers, education workers, who were pleading for a vaccine mandate so that they would know the person they were working beside was not going to give them COVID-19.

Speaker, across the globe, wherever vaccine mandates have been introduced, they have been proven to increase the uptake of vaccinations. In fact, one study in Canada found that vaccine mandates in certain settings increased vaccine uptake by 66%. Do they convince everyone to be

vaccinated? No, but they encouraged the people who weren’t making it a priority to go out and get their shots. Vaccine mandates have proven their effectiveness and they have saved lives throughout this pandemic.

The Acting Speaker (Ms. Jennifer K. French): Further debate?

Mrs. Belinda C. Karahalios: First, before I begin, I want to make it clear that I am going to support this bill, even though the member for York Centre didn’t back me up to support the charge against Bill 12 on mandatory vaccinations, and even though he didn’t back me up when I got barred from the Legislature for 90 days after recovering from COVID.

I’m not going play politics. I’m going to stand up. I’m going to support this bill that the member for York Centre has put forward, based on ideas that I have been advocating for since the beginning of summer. Even though I don’t think they go far enough, I’m going to support the bill because it’s the right thing to do for Ontario and Ontario voters.

Speaker, I’m happy to speak to the private member’s bill tabled by the member for York Centre, Bill 6, Jobs and Jobs Act, that encompasses an idea, like I said, that I have been promoting since last summer—the idea that no employer should have the right to fire an employee over the employee’s choice not to reveal their vaccine status.

Not only do I support this bill, I don’t think this bill goes far enough. It shouldn’t be a question of severance. Employers in this province need to be fined for using such a proof of passport measure because it is discrimination, plain and simple, and does not result in the so-called fantasy of “COVID zero” as we were promised.

Speaker, you may remember back in July 2020, when I was the only current or former PC MPP to vote against Bill 195, the reopening Ontario act, and was subsequently kicked out of the PC Party. And there were many people who didn’t understand why. They said I should have voted in favour of it, or skipped it. As the parliamentary assistant for the ministry the bill was presented under, it was certainly too bad that I didn’t get a chance to see the bill until it was actually tabled. It was a shame.

Speaker, I wish I could tell you, sitting here two years later, sitting next to some of the members who voted for this bill, sitting near the member from Chatham-Kent-Leamington, who told the media that he thought the Premier was doing an A- job, an excellent job on COVID-19 with this bill, that Bill 195 wasn’t so bad. I really do. But I still can’t believe that the Premier brought forward a bill and asked his caucus to support the idea that says they don’t get a chance to vote or debate on emergency measures and mandates for a year, and they all went along with it—every single one of them. They saw nothing wrong with it. I have no idea what they thought they were elected to do, but I voted against Bill 195 because it was my job to vote. My job isn’t to skip votes.

And while we have jumped from lockdown to lockdown, and our Premier consistently flip-flopped on important decisions, I continue to hear stories of people’s livelihoods and careers lost because of this government’s promotion

of public and private sector employers to implement these passport measures under the guise of, “Well, it’s their choice.”

And now, even as the Premier claims the passports are going away, employers have the choice to continue implementing these discriminatory, authoritarian, top-down, bully-style policies. And it’s a shame, because for two years, we could have done it a better way, by expanding early treatment and making it widely available, the treatment that finally is available in hospitals like St. Joe’s in Hamilton.

What needs to happen immediately is we need to repeal the reopening Ontario act, Bill 195, and we desperately need legislation in this province to outlaw and use fines against employers and facility operators who deny someone a job or access because of their medical status. My party, the New Blue Party of Ontario, would go many steps further than this bill and make these passport mandates illegal, not just a choice, and we would ensure the legislation seeks restitution for students who have dealt with lost educations and for protestors who have had their businesses shut down.

But until that time, Speaker, you can rest assured that I will be voting in favour of this legislation.

The Acting Speaker (Ms. Jennifer K. French): Further debate?

Mr. Deepak Anand: Before I start my remarks, I want to first thank team Ontario for their discipline and sacrifice over the last two years—it’s been tough—including our workers, health care professionals and educators, who have been at the forefront during the COVID-19 pandemic and continue to make up the backbone of our province.

Madam Speaker, I would like to take the opportunity to talk about how far we have come as a province, and how we have accomplished so much despite the great challenges we had. Since the start of the pandemic, we have said that we have workers’ backs, and we have taken historic steps to keep Ontario’s workers safe during these unprecedented times, tough times.

As part of our comprehensive plan to support workers and businesses, in April 2021, we introduced and passed the COVID-19 Putting Workers First Act. It included the COVID-19 worker income protection benefit program, one of the most comprehensive provincial paid sick days programs in the country. This program provides employees with up to three days of paid leave, up to \$200 per day, to stay home because of COVID-19. Because of this program, if someone feels sick, they can stay home and still get paid. It means they can take time away from work to go and get vaccinated and still get paid. They can go get tested and still get paid. It even means they can take care of a dependent who is sick or who needs to get vaccinated or get tested and still get paid.

1830

To ensure that businesses are supported, especially those hard hit during the pandemic, the government has been covering the cost of these paid sick days by fully reimbursing the employers. Businesses in this province have done incredible work protecting workers on the job,

and they deserve to be protected from additional burdensome costs.

Simply put, the program has been a win-win for all Ontarians. Our program has helped to fill in the gaps in the federal Canada Recovery Sickness Benefit as well. The federal program, while better than nothing, pays employees a maximum of \$500 a week. That’s less than minimum wage for a standard 40-hour work week. The Ontario program, on the other hand, paid up to \$600 for only three days of missed work. It helped to bridge the gap between when a worker gets sick and when they can start accessing the federal program.

The program was scheduled to end on December 31. However, in December, it was extended till July 31 and will continue to protect workers so that they can pay their bills and help stop the spread of COVID-19, especially the more transmissible Omicron variant that we saw. This program has already helped over 328,000 people, covering over 739,000 days of paid leave. This means that these workers were able to stay home or get vaccinated or get tested without worrying about losing their pay, and their employers did not have to worry about the cost.

These workplaces, especially small businesses, were able to continue to operate, knowing the government is there to take care of them. In fact, over 16,000 employers have submitted claims throughout this program, totalling over \$121 million. These businesses are primarily in manufacturing, retail, construction and anything that our life depends on, in areas like Toronto, Mississauga, London and across the province. In fact, it includes my riding of Mississauga–Malton as well. These were some of the hardest-hit communities and sectors during the pandemic. The paid leave has been used exactly where it was needed most. I have spoken to countless workers and business owners who are grateful for this program and the government support.

In addition, Madam Speaker, our government has also acted decisively to put into effect other measures and regulations to protect workers throughout the pandemic, including the unpaid infectious disease emergency leave, which allows employees to take unpaid job-protected leave if they’re unable to work because of several reasons related to COVID-19. We also further protected workers by ensuring that employers cannot threaten, fine or penalize an employee for taking these leaves. With both these programs in place, workers can be confident that their job and their health are protected—because no one should have to choose between their well-being and putting food on the table.

These actions have helped stop the spread of COVID-19 in our communities in order for people to get vaccinated, in order for people to get protected—in order for the workers to get protected—so that we can safely reopen our economy. In fact, over 12 million people in the province of Ontario are fully vaccinated. For those aged 12-plus, 91% are fully and 2% are partially vaccinated; and overall, if you consider five years plus, 86% of those eligible are vaccinated, with 4% partially vaccinated.

Because of the discipline and sacrifice of Ontarians, we have been able to gradually ease public health measures, following the guidelines of Ontario's Chief Medical Officer of Health. At the beginning of this month, we lifted capacity limits in all remaining indoor public settings and also lifted the proof-of-vaccination requirement for all settings. Proof of vaccination is no longer required in businesses or other settings. As our chief medical officer, Dr. Moore, said, he will continue to review the data and will keep making recommendations based on the evidence.

This success would not have been possible without the government's ongoing commitment to protecting workers' health and ensuring that businesses are supported through programs like the COVID-19 worker income protection benefit program. Ontario is reopening because of the hard work we've done over the past two years while following the guidance of the Chief Medical Officer of Health in combatting the pandemic. The people of Ontario have pulled together, working together on vaccines, on distancing, on masking, to protect not only themselves, but everyone—each other. I'm proud to say this: Together, with the unity and the care we have seen across the province, we're getting through this pandemic as team Ontario.

In fact, as I was preparing my remarks, I actually received a message from a resident that she's fully vaccinated, but she's seeing a little divide in the community due to the pandemic, and the divide is painful. With COVID in the rear view, the community needs to heal and come together, and I can't agree more. Yes, you're absolutely right.

Madam Speaker, as I conclude my remarks, I want to pause and thank everyone who has been on the front lines throughout the pandemic. Thank you to the health care workers caring for our loved ones; the tradespeople keeping the lights on or building homes for our growing families; the grocery store workers, delivery drivers and everyone who has put food on the shelves or brought it to our doors throughout the pandemic; and the legislative staff, who have kept this place functioning. I want to say thank you to all of you.

Thank you to all the hard-working Ontarians. Because of your sacrifice, because of your discipline, Ontario is where it is today. With people like you, I'm confident the best of our province is still to come.

As we move forward and enter stage 3, I'm looking forward to having life come back together. As Premier Ford said, our economy is firing on full cylinders. Let's come together, work together and build a prosperous Ontario. The patience and the perseverance of Ontario have allowed us to work to build a better Ontario for us all. So, through you, Madam Speaker, I would like to thank the people of the province for their trust in us.

The Acting Speaker (Ms. Jennifer K. French): Further debate?

Mr. Rick Nicholls: Since I wasn't given a lot of time to speak, I'm going to make this more of a personal note. I believe that choice matters and people should be respected for whatever choice they make in life. In this particular case, I stand with my colleague from York Centre, in his jobs and jabs bill.

Speaker, it's unfortunate that CEOs, Premiers and other people in high places make medical decisions based on the advice of other people who—I sometimes question, have they ever treated a COVID patient? But do you know what? My decision has cost me dearly, simply because I've been removed from the PC caucus because of my personal decision based on my values and my principles—and I still stand strong on that. It has cost me dearly because I'm no longer the Deputy Speaker. It has cost me dearly because I was told that I cannot run as a PC candidate in the upcoming election. That was a personal choice that I made, and I'm being attacked for that.

In summary, I stand strongly with my member from York Centre and will support his jobs and jabs bill.

The Acting Speaker (Ms. Jennifer K. French): Further debate? Further debate? Further debate?

The member has two minutes to reply. I recognize the member from York Centre.

Mr. Roman Baber: I thank all the members who spoke to the jobs and jabs bill.

First, in response to the member from London, the bill already contains a number of exclusions. It sounds like the member has a few technical objections. I reached out to the official opposition in early September and offered them to negotiate on the bill. But it also sounds like this is something that might be dealt with at committee. I asked and offered to the NDP to propose amendments should they wish.

It's very, very unfortunate that we continue to sentence countless Ontarians to unemployment. Even though the passports are now gone, somehow we're able to maintain justification for the mandates.

For almost every legal decision that the member from London can cite, there is a decision going the other way. I believe that she relied on the Paragon Security decision, which at labour arbitration determined that, because of the special circumstances of security going to other sites, and other sites having a vaccination requirement, Paragon could force it on its own employees. But, for instance, in the Employment Standards Act the arbitrator said that it should be reasonable, and you can do testing.

But the highest court to date now comes out of New Zealand, the New Zealand High Court, a similar common law jurisdiction. In *Yardley v. the minister of labour*, the court struck down a mandate for police and military.

The reason 99.9% of nurses don't want to work with someone who is unvaccinated is the hateful rhetoric that was, in fact, perpetuated in this House. As I said, the vaccines do not prevent transmission. The medical officer now says the vaccine offers minimal protection against infection. That means that the risk of transmission is not reduced because the risk of infection is reduced; it's not. It's very unfortunate if we don't make this right.

The Acting Speaker (Ms. Jennifer K. French): The time provided for private members' public business has expired.

Mr. Baber has moved second reading of Bill 6, An Act to amend the Employment Standards Act, 2000 with respect to reprisals respecting the vaccination status of

employees. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour of the motion will please say "aye."

All those opposed to the motion will please say "nay."

In my opinion, the nays have it.

I declare the motion lost.

Second reading negatived.

The Acting Speaker (Ms. Jennifer K. French): All matters relating to private members' public business having been completed, this House stands adjourned until Monday, March 7, 2022, at 10:15 a.m.

The House adjourned at 1844.

LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lieutenant Governor / Lieutenante-gouverneure: Hon. / L'hon. Elizabeth Dowdeswell, OC, OOnt.

Speaker / Président: Hon. / L'hon. Ted Arnott

Clerk / Greffier: Todd Decker

Deputy Clerk / Sous-greffier: Trevor Day

Clerks-at-the-Table / Greffiers parlementaires: Valerie Quioc Lim, Wai Lam (William) Wong,

Meghan Stenson, Christopher Tyrell

Sergeant-at-Arms / Sergente d'armes: Jacquelyn Gordon

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Anand, Deepak (PC)	Mississauga—Malton	
Andrew, Jill (NDP)	Toronto—St. Paul's	
Armstrong, Teresa J. (NDP)	London—Fanshawe	
Arnott, Hon. / L'hon. Ted (PC)	Wellington—Halton Hills	Speaker / Président de l'Assemblée législative
Arthur, Ian (NDP)	Kingston and the Islands / Kingston et les Îles	
Baber, Roman (IND)	York Centre / York-Centre	
Babikian, Aris (PC)	Scarborough—Agincourt	
Bailey, Robert (PC)	Sarnia—Lambton	
Barrett, Toby (PC)	Haldimand—Norfolk	
Begum, Doly (NDP)	Scarborough Southwest / Scarborough-Sud-Ouest	
Bell, Jessica (NDP)	University—Rosedale	
Berns-McGown, Rima (NDP)	Beaches—East York / Beaches—East York	
Bethlenfalvy, Hon. / L'hon. Peter (PC)	Pickering—Uxbridge	Minister of Finance / Ministre des Finances
Bisson, Gilles (NDP)	Timmins	
Blais, Stephen (LIB)	Orléans	
Bouma, Will (PC)	Brantford—Brant	
Bourgouin, Guy (NDP)	Mushkegowuk—James Bay / Mushkegowuk—Baie James	
Burch, Jeff (NDP)	Niagara Centre / Niagara-Centre	
Calandra, Hon. / L'hon. Paul (PC)	Markham—Stouffville	Minister of Legislative Affairs / Ministre des Affaires législatives Minister of Long-Term Care / Ministre des Soins de longue durée Government House Leader / Leader parlementaire du gouvernement
Cho, Hon. / L'hon. Raymond Sung Joon (PC)	Scarborough North / Scarborough-Nord	Minister for Seniors and Accessibility / Ministre des Services aux aînés et de l'Accessibilité
Cho, Hon. / L'hon. Stan (PC)	Willowdale	Associate Minister of Transportation (GTA) / Ministre associé des Transports (RGT)
Clark, Hon. / L'hon. Steve (PC)	Leeds—Grenville—Thousand Islands and Rideau Lakes / Leeds—Grenville—Thousand Islands et Rideau Lakes	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Coe, Lorne (PC)	Whitby	
Collard, Lucille (LIB)	Ottawa—Vanier	
Crawford, Stephen (PC)	Oakville	
Cuzzetto, Rudy (PC)	Mississauga—Lakeshore	
Downey, Hon. / L'hon. Doug (PC)	Barrie—Springwater—Oro-Medonte	Attorney General / Procureur général
Dunlop, Hon. / L'hon. Jill (PC)	Simcoe North / Simcoe-Nord	Minister of Colleges and Universities / Ministre des Collèges et Universités
Elliott, Hon. / L'hon. Christine (PC)	Newmarket—Aurora	Deputy Premier / Vice-première ministre Minister of Health / Ministre de la Santé
Fedeli, Hon. / L'hon. Victor (PC)	Nipissing	Chair of Cabinet / Président du Conseil des ministres Minister of Economic Development, Job Creation and Trade / Ministre du Développement économique, de la Création d'emplois et du Commerce
Fee, Amy (PC)	Kitchener South—Hespeler / Kitchener-Sud—Hespeler	
Fife, Catherine (NDP)	Waterloo	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Ford, Hon. / L'hon. Doug (PC)	Etobicoke North / Etobicoke-Nord	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre
Fraser, John (LIB)	Ottawa South / Ottawa-Sud	
French, Jennifer K. (NDP)	Oshawa	Third Deputy Chair of the Committee of the Whole House / Troisième vice-présidente du comité plénier de l'Assemblée législative
Fullerton, Hon. / L'hon. Merrilee (PC)	Kanata—Carleton	Minister of Children, Community and Social Services / Ministre des Services à l'enfance et des Services sociaux et communautaires
Gates, Wayne (NDP)	Niagara Falls	
Gélinas, France (NDP)	Nickel Belt	
Ghamari, Goldie (PC)	Carleton	
Gill, Hon. / L'hon. Parm (PC)	Milton	Minister of Citizenship and Multiculturalism / Ministre des Affaires civiques et du Multiculturalisme
Glover, Chris (NDP)	Spadina—Fort York	
Gravelle, Michael (LIB)	Thunder Bay—Superior North / Thunder Bay—Supérieur-Nord	
Gretzky, Lisa (NDP)	Windsor West / Windsor-Ouest	First Deputy Chair of the Committee of the Whole House / Première vice-présidente du comité plénier de l'Assemblée
Hardeman, Ernie (PC)	Oxford	
Harden, Joel (NDP)	Ottawa Centre / Ottawa-Centre	
Harris, Mike (PC)	Kitchener—Conestoga	
Hassan, Faisal (NDP)	York South—Weston / York-Sud— Weston	
Hatfield, Percy (NDP)	Windsor—Tecumseh	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du comité plénier de l'Assemblée législative
Hillier, Randy (IND)	Lanark—Frontenac—Kingston	
Hogarth, Christine (PC)	Etobicoke—Lakeshore	
Horwath, Andrea (NDP)	Hamilton Centre / Hamilton-Centre	Leader, Official Opposition / Chef de l'opposition officielle
Hunter, Mitzie (LIB)	Scarborough—Guildwood	
Jones, Hon. / L'hon. Sylvia (PC)	Dufferin—Caledon	Solicitor General / Solliciteuse générale
Kanapathi, Logan (PC)	Markham—Thornhill	
Karahalios, Belinda C. (NBP)	Cambridge	
Karpoche, Bhutilla (NDP)	Parkdale—High Park	
Ke, Vincent (PC)	Don Valley North / Don Valley-Nord	
Kernaghan, Terence (NDP)	London North Centre / London- Centre-Nord	
Khanjin, Andrea (PC)	Barrie—Innisfil	Deputy Government House Leader / Leader parlementaire adjointe du gouvernement
Kramp, Daryl (PC)	Hastings—Lennox and Addington	
Kusendova, Natalia (PC)	Mississauga Centre / Mississauga- Centre	
Lecce, Hon. / L'hon. Stephen (PC)	King—Vaughan	Minister of Education / Ministre de l'Éducation
Lindo, Laura Mae (NDP)	Kitchener Centre / Kitchener-Centre	
MacLeod, Hon. / L'hon. Lisa (PC)	Nepean	Minister of Heritage, Sport, Tourism and Culture Industries / ministre des Industries du patrimoine, du sport, du tourisme et de la culture
Mamakwa, Sol (NDP)	Kiiwetinoong	
Mantha, Michael (NDP)	Algoma—Manitoulin	
Martin, Robin (PC)	Eglinton—Lawrence	
Martow, Gila (PC)	Thornhill	
McDonell, Jim (PC)	Stormont—Dundas—South Glengarry	
McKenna, Hon. / L'hon. Jane (PC)	Burlington	Associate Minister of Children and Women's Issues / Ministre associée déléguée au dossier de l'Enfance et à la Condition féminine
McNaughton, Hon. / L'hon. Monte (PC)	Lambton—Kent—Middlesex	Minister of Labour, Training and Skills Development / Ministre du Travail, de la Formation et du Développement des compétences
Miller, Norman (PC)	Parry Sound—Muskoka	
Miller, Paul (NDP)	Hamilton East—Stoney Creek / Hamilton-Est—Stoney Creek	
Mitas, Christina Maria (PC)	Scarborough Centre / Scarborough- Centre	
Monteith-Farrell, Judith (NDP)	Thunder Bay—Atikokan	
Morrison, Suze (NDP)	Toronto Centre / Toronto-Centre	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Mulroney, Hon. / L'hon. Caroline (PC)	York—Simcoe	Minister of Francophone Affairs / Ministre des Affaires francophones Minister of Transportation / Ministre des Transports
Natyshak, Taras (NDP)	Essex	
Nicholls, Rick (IND)	Chatham-Kent—Leamington	Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée
Oosterhoff, Sam (PC)	Niagara West / Niagara-Ouest	
Pang, Billy (PC)	Markham—Unionville	
Park, Lindsey (IND)	Durham	
Parsa, Michael (PC)	Aurora—Oak Ridges—Richmond Hill	Deputy Government House Leader / Leader parlementaire adjoint du gouvernement
Pettapiece, Randy (PC)	Perth—Wellington	
Piccini, Hon. / L'hon. David (PC)	Northumberland—Peterborough South / Northumberland—Peterborough-Sud	Minister of the Environment, Conservation and Parks / Ministre de l'Environnement, de la Protection de la nature et des Parcs
Rakocevic, Tom (NDP)	Humber River—Black Creek	
Rasheed, Hon. / L'hon. Kaleed (PC)	Mississauga East—Cooksville / Mississauga-Est—Cooksville	Associate Minister of Digital Government / Ministre associé délégué de l'Action pour un gouvernement numérique
Rickford, Hon. / L'hon. Greg (PC)	Kenora—Rainy River	Minister of Indigenous Affairs / Ministre des Affaires autochtones Minister of Northern Development, Mines, Natural Resources and Forestry / Ministre du Développement du Nord, des Mines, des Richesses naturelles et des Forêts
Roberts, Jeremy (PC)	Ottawa West—Nepean / Ottawa-Ouest—Nepean	
Romano, Hon. / L'hon. Ross (PC)	Sault Ste. Marie	Minister of Government and Consumer Services / Ministre des Services gouvernementaux et des Services aux consommateurs
Sabawy, Sheref (PC)	Mississauga—Erin Mills	
Sandhu, Amarjot (PC)	Brampton West / Brampton-Ouest	
Sarkaria, Hon. / L'hon. Prabmeet Singh (PC)	Brampton South / Brampton-Sud	President of the Treasury Board / Président du Conseil du Trésor
Sattler, Peggy (NDP)	London West / London-Ouest	Opposition House Leader / Leader parlementaire de l'opposition officielle
Schreiner, Mike (GRN)	Guelph	
Scott, Laurie (PC)	Haliburton—Kawartha Lakes—Brock	
Shaw, Sandy (NDP)	Hamilton West—Ancaster—Dundas / Hamilton-Ouest—Ancaster—Dundas	
Simard, Amanda (LIB)	Glengarry—Prescott—Russell	
Singh, Gurratan (NDP)	Brampton East / Brampton-Est	Deputy Opposition House Leader / Leader parlementaire adjoint de l'opposition officielle
Singh, Sara (NDP)	Brampton Centre / Brampton-Centre	Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Skelly, Donna (PC)	Flamborough—Glanbrook	
Smith, Dave (PC)	Peterborough—Kawartha	
Smith, Hon. / L'hon. Todd (PC)	Bay of Quinte / Baie de Quinte	Minister of Energy / Ministre de l'Énergie
Stevens, Jennifer (Jennie) (NDP)	St. Catharines	
Stiles, Marit (NDP)	Davenport	
Surma, Hon. / L'hon. Kinga (PC)	Etobicoke Centre / Etobicoke-Centre	Minister of Infrastructure / Ministre de l'Infrastructure
Tabuns, Peter (NDP)	Toronto—Danforth	
Tangri, Hon. / L'hon. Nina (PC)	Mississauga—Streetsville	Associate Minister of Small Business and Red Tape Reduction / Ministre associée déléguée aux Petites Entreprises et à la Réduction des formalités administratives
Taylor, Monique (NDP)	Hamilton Mountain	
Thanigasalam, Vijay (PC)	Scarborough—Rouge Park	
Thompson, Hon. / L'hon. Lisa M. (PC)	Huron—Bruce	Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales
Tibollo, Hon. / L'hon. Michael A. (PC)	Vaughan—Woodbridge	Associate Minister of Mental Health and Addictions / Ministre associé délégué au dossier de la Santé mentale et de la Lutte contre les dépendances
Triantafilopoulos, Effie J. (PC)	Oakville North—Burlington / Oakville-Nord—Burlington	
Vanthof, John (NDP)	Timiskaming—Cochrane	Deputy Leader, Official Opposition / Chef adjoint de l'opposition officielle
Wai, Daisy (PC)	Richmond Hill	
Walker, Bill (PC)	Bruce—Grey—Owen Sound	Deputy Speaker / Vice-président
West, Jamie (NDP)	Sudbury	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Wilson, Jim (IND)	Simcoe—Grey	
Wynne, Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	
Yakabuski, John (PC)	Renfrew—Nipissing—Pembroke	
Yarde, Kevin (NDP)	Brampton North / Brampton-Nord	
Vacant	Ajax / Ajax	
Vacant	Don Valley East / Don Valley-Est	
Vacant	Elgin—Middlesex—London	

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COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

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Vice-Chair / Vice-président: Randy Pettapiece
Teresa J. Armstrong, Toby Barrett
Lorne Coe, Rudy Cuzzetto
Goldie Ghamari, Randy Hillier
Christina Maria Mitas, Judith Monteith-Farrell
Michael Parsa, Randy Pettapiece
Peter Tabuns
Committee Clerk / Greffière: Thushitha Kobikrishna

**Standing Committee on Finance and Economic Affairs /
Comité permanent des finances et des affaires économiques**

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Vice-Chair / Vice-président: Ian Arthur
Ian Arthur, Will Bouma
Stephen Crawford, Catherine Fife
Ernie Hardeman, Mitzie Hunter
Logan Kanapathi, Sol Mamakwa
Jeremy Roberts, Dave Smith
Vijay Thanigasalam
Committee Clerk / Greffier: Michael Bushara

Standing Committee on General Government / Comité permanent des affaires gouvernementales

Chair / Président: Logan Kanapathi
Vice-Chair / Vice-président: Mike Schreiner
Jill Andrew, Robert Bailey
Will Bouma, Guy Bourgouin
Chris Glover, Mike Harris
Logan Kanapathi, Sheref Sabawy
Amarjot Sandhu, Mike Schreiner
Daisy Wai
Committee Clerk / Greffier: Isaiah Thorning

Standing Committee on Government Agencies / Comité permanent des organismes gouvernementaux

Chair / Président: Gilles Bisson
Vice-Chair / Vice-président: Aris Babikian
Deepak Anand, Aris Babikian
Gilles Bisson, Lorne Coe
Wayne Gates, Robin Martin
Norman Miller, Billy Pang
Amanda Simard, Marit Stiles
John Yakabuski
Committee Clerk / Greffière: Tanzima Khan

Standing Committee on Justice Policy / Comité permanent de la justice

Chair / Président: Daryl Kramp
Vice-Chair / Vice-présidente: Lucille Collard
Lucille Collard, Christine Hogarth
Daryl Kramp, Natalia Kusendova
Jim McDonell, Suze Morrison
Randy Pettapiece, Gurratan Singh
Donna Skelly, Effie J. Triantafilopoulos
Kevin Yarde
Committee Clerk / Greffière: Thushitha Kobikrishna

Standing Committee on the Legislative Assembly / Comité permanent de l'Assemblée législative

Chair / Présidente: Laurie Scott
Vice-Chair / Vice-présidente: France Gélinas
Rima Berns-McGown, France Gélinas
Goldie Ghamari, Mike Harris
Faisal Hassan, Jim McDonell
Sam Oosterhoff, Laurie Scott
Vijay Thanigasalam
Committee Clerk / Greffière: Tanzima Khan

Standing Committee on Public Accounts / Comité permanent des comptes publics

Chair / Président: Taras Natyshak
Vice-Chair / Vice-présidente: Christine Hogarth
Deepak Anand, Toby Barrett
Jessica Bell, Stephen Blais
Stephen Crawford, Rudy Cuzzetto
Christine Hogarth, Michael Mantha
Taras Natyshak, Michael Parsa
Amarjot Sandhu
Committee Clerk / Greffier: Christopher Tyrell

Standing Committee on Regulations and Private Bills / Comité permanent des règlements et des projets de loi d'intérêt privé

Chair / Président: Aris Babikian
Vice-Chair / Vice-président: John Fraser
Aris Babikian, Lorne Coe
John Fraser, Vincent Ke
Laura Mae Lindo, Paul Miller
Billy Pang, Jeremy Roberts
Dave Smith, Daisy Wai
Jamie West
Committee Clerk / Greffier: Isaiah Thorning

Standing Committee on Social Policy / Comité permanent de la politique sociale

Chair / Présidente: Natalia Kusendova
Vice-Chair / Vice-présidente: Bhutila Karpoche
Aris Babikian, Jeff Burch
Amy Fee, Michael Gravelle
Joel Harden, Mike Harris
Bhutila Karpoche, Natalia Kusendova
Robin Martin, Jim McDonell
Effie J. Triantafilopoulos
Committee Clerk / Greffière: Vanessa Kattar

**Select Committee on Emergency Management Oversight /
Comité spécial de la surveillance de la gestion des situations d'urgence**

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Vice-Chair / Vice-président: Tom Rakocevic
Robert Bailey, Gilles Bisson
John Fraser, Christine Hogarth
Daryl Kramp, Robin Martin
Sam Oosterhoff, Tom Rakocevic
Donna Skelly, Sara Singh
Effie J. Triantafilopoulos
Committee Clerk / Greffier: Christopher Tyrell