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**Standing Committee on
Finance and Economic Affairs**

Protecting Ontario's Workers
and Economic Resilience
Act, 2026

1st Session
44th Parliament

Thursday 21 May 2026

**Comité permanent
des finances
et des affaires économiques**

Loi de 2026 pour protéger
les travailleurs et la résilience
économique de l'Ontario

1^{re} session
44^e législature

Jeudi 21 mai 2026

Chair: Hon. Ernie Hardeman
Clerk: Lesley Flores

Président : L'hon. Ernie Hardeman
Greffière : Lesley Flores

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
FINANCE AND ECONOMIC AFFAIRS**

**COMITÉ PERMANENT DES FINANCES
ET DES AFFAIRES ÉCONOMIQUES**

Thursday 21 May 2026

Jeudi 21 mai 2026

The committee met at 1000 in room 151.

**PROTECTING ONTARIO'S WORKERS
AND ECONOMIC RESILIENCE ACT, 2026
LOI DE 2026 POUR PROTÉGER
LES TRAVAILLEURS ET LA RÉSILIENCE
ÉCONOMIQUE DE L'ONTARIO**

Consideration of the following bill:

Bill 105, An Act to enact the Strengthening Talent Agency Regulation Act, 2026 and to amend various Acts / Projet de loi 105, Loi édictant la Loi de 2026 visant à renforcer la réglementation des agences artistiques et modifiant diverses lois.

The Chair (Hon. Ernie Hardeman): Good morning, everyone. I call this meeting of the Standing Committee on Finance and Economic Affairs to order. We're meeting today for the clause-by-clause consideration of Bill 105, An Act to enact the Strengthening Talent Agency Regulation Act, 2026 and to amend various Acts. We're joined today by staff from Hansard and by Kristi Cairns from the Office of Legislative Counsel to assist us with our work. Should we have any questions, we're also joined virtually by counsel from various ministries via Zoom.

The proposed amendments, which have been filed with the Clerk, have been distributed to the members electronically and in hard copy.

Before we begin clause-by-clause, I will allow members to make comments to the bill as a whole. Afterwards, debate on the bill will be limited to the specific items under consideration. Please wait until you are recognized by the Chair before speaking. As always, all comments should go through the Chair.

Committee members, pursuant to standing order 83, are there any brief comments or questions on the bill as a whole? MPP West.

MPP Jamie West: In general, I think we heard very clearly in committee that people are not in favour of many of the changes that are happening to WSIB. The minister had said very clearly that she wanted to have a "tell us once" ministry. Everyone—except for the people who were there specifically to speak about talent agencies—said they're in opposition to the changes for WSIB, and to improve the changes. I hope that my colleagues keep that in mind while we're talking about these amendments that are coming forward.

The Chair (Hon. Ernie Hardeman): MPP Vaugeois.

MPP Lise Vaugeois: I just wanted to note how many people who wrote, outside of their concerns about the WSIB sections, with concerns about so many things thrown into an omnibus bill, so that we're not in a position to really debate and hear from people about specific sections of the bill. This omnibus practice is a significant problem for people.

The Chair (Hon. Ernie Hardeman): MPP Fraser.

Mr. John Fraser: I want to echo my colleagues' comments. When I take a look at this bill, it's a red tape bill that creates red tape. So you're saying to injured workers who, after 72 months or six years who were deemed to be injured with a permanent injury, "Now you've got to prove it." I think that's creating more red tape. I didn't think it was a bill to create red tape, and it is.

We're all sitting here, we're all healthy, we're not at home. We don't have a fracture in our neck that doesn't allow us to do our job, right? We don't have that kind of injury. We're not missing a limb. And we're saying to these people, "You have to prove it—again." Their life is already hard. That's red tape. I'm sorry to say it, but it is. I think that's a fair and reasonable thing to say.

I think we need to recognize that there are a few of us here who are past the age of retirement. Chair, I think that might be you and I, not the rest of these folks—

The Chair (Hon. Ernie Hardeman): I just want to point out that that age is when you see it is.

Mr. John Fraser: That's my point. Thank you, Chair. I don't need to say anything else about that.

Now, stuck in the middle of this is the Environmental Assessment Act and the Ombudsman Act. There are good things that are in this bill. Raising the rates is really good. Raising the rates for coverage on WSIB to 90% is the right thing to do. I'll give the government kudos for doing that, but you're taking away at the same time.

There has been a one-sided approach to WSIB up until this bill, and there was an opportunity to take a look at injured workers and what their needs were—not all the surplus going to employers; some of the surplus going to people, which you're doing right now, which is upping the rates. That hasn't happened for a long time. There is about \$21 billion; I think that's the amount of money that's been returned.

We're not against that, but we want to see some balance. Because workplace safety insurance benefits the employer by avoiding litigation—it's an insurance against being litigated against for workplace injuries; that's why we started it—and it benefits the employees. So when you have a

situation where you have a surplus, you have to have some sort of balance there to ensure that you're covering people on both sides. It's not there.

I am very pleased about the coverage for—and this is another good thing in the bill, I'll say this—the retirement home workers and the group-home workers. It's very important. We've been working on it for a long time. I'm only going to say one thing about that right now: I think I might need to follow this one right through to the end, because it's important that, when we pass legislation—and I imagine this bill will pass—that we actually execute the things we put in the bill. I'll just leave it at that, and I'm sure my colleagues can speak.

The Chair (Hon. Ernie Hardeman): Further discussion?

Mr. Dave Smith: I appreciate that. I'll be relatively short on this as well.

I want to thank all the members who have come in today for this. This is a constit week. Normally, we would be back in our constituencies, and when I look around the table, the distance that the majority of us have had to travel—this is not one day out of the constituency, for many of us; it's actually three. Travel would have happened last night. We're here all day. We have the potential of staying until midnight. That means that travel back home would be tomorrow. So effectively, a lot of the members here have lost three days in their constituency, where they would be working directly with their constituents, where they'd be hearing the concerns of those. I do truly appreciate that everyone has had the dedication to travel that much of a distance to come in to do this, knowing full well that they've given up two extra days in their own ridings, working with their own constituents. So thank you to everyone who's come in today for this.

The Chair (Hon. Ernie Hardeman): No further discussion? If not, as the committee will notice, Bill 105 is comprised of the preamble, three sections and nine schedules. Since the majority of the bill is set out in the schedules, I propose that we stand down the preamble and sections 1 to 3 of the bill to postpone their considerations and start with schedule 1, section 1. Do the members agree? Agreed.

MPP West.

MPP Jamie West: I'd like to have a recorded vote on our votes. Do I make that every round, or can I just make it right now as a blanket request?

The Chair (Hon. Ernie Hardeman): Yes, we can; if you want it on all your amendments, we can agree to that. The process says if I miss one, I'm not going to take the blame for it.

Mr. John Fraser: He'll remind you.

The Chair (Hon. Ernie Hardeman): That's actually the point, because that's the only difference between having it each time and being reminded that it's done. So, with that, it's noted.

We will now begin our clause-by-clause consideration of Bill 105, starting with schedule 1, section 1. There are no amendments to sections 1 to 4 of schedule 1, therefore I propose that we bundle these sections. Is there agreement?

All those in favour? All those opposed? The motion is carried.

Is there any debate on sections 1 to 4 of schedule 1? MPP Vaugeois.

MPP Lise Vaugeois: Actually, regarding schedule 1, I want to point out concerns raised by Unifor about the fact that, in schedule 1, it's possible to summarily dismiss complaints—that there is no process to ensure that complaints that are brought forward are actually heard, so I think that needs to be on the record.

1010

The Chair (Hon. Ernie Hardeman): Further discussion? If not, is the committee ready to vote? Shall schedule 1, sections 1 to 4, inclusive, carry? All those in favour? All those opposed? The motion is carried.

There are no amendments to sections 1 to 29 of schedule 2. Therefore, I propose that we bundle these sections. Is there agreement? All those in favour? All those opposed? The motion is carried.

Is there any debate on sections 1 to 29 of schedule 2? No debate? Ready for the vote? All those in favour? All those opposed? The motion is carried.

If there's no further discussion, shall schedule 2 carry—there is a notice—

Interjections.

The Chair (Hon. Ernie Hardeman): MPP West.

MPP Jamie West: For the record, the Ontario NDP recommends voting against schedule 2 to the bill.

The Chair (Hon. Ernie Hardeman): Further debate?

Mr. John Fraser: We recommend, as well, voting against schedule 2, and that's because, essentially, what you're doing is you're stripping away environmental protections. You're stripping away communities' right to go to the Ontario Land Tribunal. You're reducing oversight.

If you live in a place like Dresden and they're going to resurrect a 30-year-old dump that's had nothing going into it—if you live next door, it's a problem. I guess if you don't live next door, it's not a problem for you, and maybe that's why members have no problem doing that. It's not right.

There are processes in place to listen to the voices of Ontarians, even when the government doesn't like to hear what those voices have to say. It does, at times, take a little bit more time, but I think we would all appreciate the fact that if we had what we felt was a legitimate reason to oppose something or recommend something, that the government would take the time and make sure that things were in place so I'd be heard. I'd maybe not get the answer that I want, but I'd at least be heard.

My take when I see this stuff is just like, "We're just going to say no anyway, so why are we doing this?" That's the vibe, right? That's the vibe that you get from this section in the act, and it's bundled in with a whole bunch of stuff. I don't want to get going about Bill 5 and the special economic zones and all the things that are being done that are saying to people, "We're just going to say no, and we're going to do what we want, and why are we wasting time listening to you?" That's why I think we should vote against schedule 2.

The Chair (Hon. Ernie Hardeman): Further debate? MPP Vaugeois.

MPP Lise Vaugeois: I would like to support what MPP Fraser has said about this section because there is an assumption that input from people who are actually affected by, for example, where dump sites are going to be placed, that there's no room to hear those concerns. Schedule 2 really chokes those voices from having a space, and for what reason? Then, is the assumption that government will always say no, regardless of what concerns are brought forward by the people you are actually supposed to be representing? Because we are here to represent our constituents, not particular business lobbies.

We're not here to undermine environmental protections. We are here to make sure that we have the highest possible standards in this province to protect people from harm, and harm that can be caused by government and by poor government decisions.

I'll note that the city of Toronto wrote quite strongly with concerns about schedule 2 of the bill.

The Chair (Hon. Ernie Hardeman): Further discussion?

MPP Jamie West: Yes. I think that the members already spoke really well to this, but just for the record, this allows the minister—to remove the requirement for the minister to conduct, publish and review a comprehensive environmental assessment. That's something that's pretty concerning.

As my colleague from the Liberal Party had said, there are a lot of people who feel like the Conservative government isn't listening to them when it comes to environmental concerns. I'm not trying to imply that is what's happening, but there is that perception, and I think saying that we're not even going to go through the pretense of pretending to listen anymore is a frustrating experience.

I don't know the qualifications that the minister has, but I know if I were the minister, I don't have the qualifications to assume that this is done well. It's not my background. It's not my expertise. If I were ever in that position, I think that I would likely make some errors. As we learned, I think, from committee, and we learn often in committee, there are things that the public share with us that we hadn't considered. They have a different perspective.

Behind me—I know we can't use props; I don't know if the same applies to committee—is a photo of Sudbury, Ontario. Sudbury was known for looking like the moon. The environment was not important to the government of the day. We were allowed, in our city, to have twice the amount of pollution than any other place on the planet—exposed to our city. It killed off our trees and our wildlife. It scarred the ground. It made the lakes turn black. It was from the community pushing back that those were there.

I think there's a tendency sometimes to think, "What's the big deal?" But the big deal can be very big. It's a lot easier to not think of it as a big deal if you don't live there, but when you do live there, it's a very big deal for a lot of people.

Environmental Defence is concerned about this. We're very concerned about this. We work for the public. It's our

role. Listening to the public is our job, and writing rules, writing laws that say we don't have to listen and report to you anymore is not about a solid democracy.

The Chair (Hon. Ernie Hardeman): MPP Fraser.

Mr. John Fraser: I'll be very quick. Something that my colleague said that I just think is worth underlining, is, as individual members, even in the government, you have to look at the amount of power that you give a minister. There needs to be a check and balance on that, because if there's something in your community—and you may know this—that you're concerned about, that you're asking a minister to address or at least listen to people, and they don't respond, that puts you in a very bad position as an MPP, especially if you're in government—even if you're not in government. The order in council and the checks and balances—the Lieutenant Governor in Council—those checks and balances that we have against ministerial power support all members on all sides, and I just wanted to point that out.

Thank you for giving me a little extra time there, Chair.

The Chair (Hon. Ernie Hardeman): Any further discussion? Are we ready to vote on schedule 2?

MPP Jamie West: Recorded vote, please.

Ayes

Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

Nays

Fraser, Vaugeois, West.

The Chair (Hon. Ernie Hardeman): The motion is carried.

There are no amendments to sections 1 to 4 in schedule 3. I therefore propose that we bundle these sections. Is there agreement? All those in favour? Opposed? Carried.

1020

Is there any debate on schedule 3, sections 1 to 4? No debate? All those in favour? All those opposed? The motion is carried.

Shall schedule 3 carry? All those in favour? All those opposed? The motion is carried.

Schedule 4: There are no amendments to sections 1 and 2 of schedule 4, therefore, I propose that we bundle these sections. Do we agree? Agreed.

Is there any debate on sections 1 and 2 of schedule 4? If there's no debate, are you ready to vote? All those in favour? Opposed? The motion is carried.

Shall schedule 4 carry? All those in favour? All those opposed? Schedule 4 carries.

Schedule 5: There are no amendments to sections 1 to 9 of schedule 5, therefore, I propose we bundle those sections. Agreed? Agreed.

Is there any debate on sections 1 to 9 of schedule 5?

MPP Jamie West: I think that schedule 5 is a positive step forward in terms of the voluntary recording of occupational health exposure ratings. I would encourage the

government to do more on this issue. Occupational health is the sort of thing that doesn't make the news when people die because they die near the end of their careers. It isn't that sudden impact the same way that if someone was hit by a car or crushed by something—that major impact—but it does cost our health care system a lot of money at the end of the day. If it's compensable through WSIB or if it's not, you're still going to end up in care, which is going to cost a lot of money, and we need to protect our workers in their workplaces.

This is a positive step forward, but the reality is that, for the most part, this is only going to help workers who are aware of what's happening. It's only going to help the workers who know the forms exist, who write them down, who have functioning, strong joint health and safety committees, who have employers who encourage this to happen. The reality is not every workplace is like that, so I would encourage them to continue the steps forward on this so that we can truly help workers, and not just the workers who are aware or who know this exists.

The Chair (Hon. Ernie Hardeman): MPP Fraser.

Mr. John Fraser: I echo my colleague's comments. It's a positive step forward to address this. I do think we had one recommendation that came before us from the building and trades, which was to have a unit that would take a look at, more broadly, where exposures occurred so that it would be easier to manage this. I just would encourage the government to consider doing that as an investment that will make what they're trying to do here more effective.

The Chair (Hon. Ernie Hardeman): Further debate?

MPP Lise Vaugois: I'd like to note that we heard—from quite a few people—concerns about the fact that this is a voluntary record, which is never going to capture what's really going on in a workplace, and that there was a system up until 1996 that actually had people going to workplaces and doing the tests in real time in those workplaces, which apparently worked very well. So I would recommend that the government look at that and bring that back.

I would also like to note that we heard, when we heard presentations, that the standards of exposure are far too high in Ontario, particularly in the mining industry but also in construction, where people are inhaling a lot of diesel particulate. We know that that standard needs to be lowered. When it's not lowered, again, the costs go to the health care system, which is taxpayer-funded, whereas these are business expenses that should be reduced in order to be protecting the safety of their workers.

We can't really be saying it's saving money to not have the best possible protections for workers, because, ultimately, it costs the public a great deal more. Why would we allow people to get incredibly sick because of their workplaces? We have the means to stop this, and we should.

The Chair (Hon. Ernie Hardeman): Further debate? Ready to vote? Shall schedule 5, sections 1 to 9, carry? All those in favour? All those opposed? The motion is carried.

Shall schedule 5 carry? Debate? If not, all those in favour? All those opposed? Schedule 5 carries.

Schedule 6: I believe in section 1 we have a government amendment: MPP Smith.

Mr. Dave Smith: I move that section 1 of schedule 6 to the bill be amended by striking out subsection 2(3) of the Ombudsman Act and substituting the following:

“Conditions for appointment

“(3) An order shall be made under subsection (2) only if,

“(a) the person to be appointed is proficient in English and in French; and

“(b) unless decided otherwise by unanimous consent of the assembly, the person to be appointed has been selected by unanimous agreement of a panel composed of one member of the assembly from each recognized party and chaired by the Speaker who is a non-voting member.”

The Chair (Hon. Ernie Hardeman): Discussion?

Mr. Dave Smith: This is just a technical change to the schedule. It was something that was advised to us by legislative counsel, so we're making that change.

The Chair (Hon. Ernie Hardeman): Further discussion? If not, are you ready to vote on the amendment? All those in favour? All those opposed? Carried.

Shall schedule 6, section 1, as amended, carry? All those in favour? All those opposed? The motion is carried.

Schedule 6, section 2: Is there discussion? If there's no discussion, are you ready to vote? All those in favour? All those opposed? The motion is carried.

Shall schedule 6, section 2, carry? All those in favour? Opposed? The motion is carried.

Shall schedule 6, as amended, carry? All those in favour? All those opposed? The motion is carried.

Schedule 7: There are no amendments to sections 1 to 4 of schedule 7, therefore, I propose we bundle those sections. Is there agreement? Agreed.

Is there any debate on sections 1 to 4 of schedule 7? If there's no debate, ready to vote? All those in favour? All those opposed? Carried.

Shall schedule 7 carry? All those in favour? All those opposed? Schedule 7 carries.

Schedule 8: There are no amendments to sections 1 to 61 of schedule 8. I therefore propose that we bundle these sections. Is there agreement? I thought I might get agreement on that.

Debate on sections 1 to 61?

1030

MPP Jamie West: Just as a comment: I think that all around the table we're aligned on what we are hearing here, but during committee, I had noticed that people around the committee weren't 100% sure of how the whole system worked, and there was the opportunity to learn more. But because it's an omnibus bill, as my colleague has said—lots of things were thrown together in it—there wasn't always that opportunity, between our three panellists who had come to speak about different things, to be able to ask those probing questions.

And also, on this bill, once it passed second reading, it was brought to committee, I believe, on a Tuesday at 9 a.m. And if you wanted to deputize and bring forward any comments on it, you had to submit it by 4 p.m. of that same day and submit a written response, I think, within two days after that. So the reality of what was happening here—even though I think it's good legislation, I think we missed an

opportunity to better understand how that system could be further improved.

I know there was one of the talent agencies who had some concerns. At a personal level, I didn't have the opportunity to fully understand what the concerns were. But they had been in business for more than 30 years, and so I think there was an opportunity for us in the committee to learn a lot more from people deputizing here. And I think that's what happens when a majority government, any majority government, has the power to limit the amount of time for people to speak. But I think that we really missed an opportunity to better understand how we could help people in the entertainment industry right now—just as a comment.

The Chair (Hon. Ernie Hardeman): Further discussion?

MPP Lise Vaugeois: I would also like to comment on the fact that we acknowledged in this room that there was almost nobody who had any experience of working as a performer in the field, with the exception of myself, and even so, listening to the delegations, it was pretty clear that there was a lot of experience and knowledge that none of us had been exposed to prior to the hearings. And so one of the requests was that, when the regulations are put together, consultation take place with those groups—particularly those who have written in and who took the trouble of coming and presenting to committee—because it's clear that the knowledge was not in the room, really, to adequately assess this part of the bill. Again, it is a problem that it's an omnibus bill and that it was pushed through very quickly. So I would like it to be on the record that when it comes to making the regulations that further consultation take place with the affected people in the industry.

The Chair (Hon. Ernie Hardeman): Further debate?

Is the committee ready to vote on schedule 8, sections 1 to 61, inclusive? All those in favour? All those opposed? The motion is carried.

Shall schedule 8 carry? Further debate? If not, all those in favour? All those opposed? The motion is carried. Schedule 8 carries.

Schedule 9, section 1: We have amendments to that. We start with the Liberal amendment: MPP Fraser.

Mr. John Fraser: I move that subsection 1(1) of schedule 9 to the bill be amended by striking out clauses 43(1)(b) and (c) of the Workplace Safety and Insurance Act, 1997 and substituting the following:

“(b) if the worker was less than 65 years of age on the date of the injury, the later of,

“(i) the day on which the worker reaches 70 years of age, or

“(ii) if the board has determined a day in response to a request made by the worker under subsection 43(1.1), that day;

“(c) if the worker was 65 years of age or older on the date of the injury, the later of,

“(i) the day that is five years after the date of the injury, or

“(ii) if the board has determined a day in response to a request made by the worker under subsection 43(1.2), that day;”

The Chair (Hon. Ernie Hardeman): Discussion?

Mr. John Fraser: Yes, I'm going to do that right now.

If we look around us, the reality is, you walk into a Walmart, you walk into a grocery store, you walk into just about anywhere and there's a lot of people who are past what we say is the retirement age. I think I mentioned this earlier in my opening remarks. I think it's important that we recognize we're healthier. We have to work longer because life's harder. So we can't penalize people for something that is, what I would say, a regular practice. There are I think something like 400,000 people over the age of 65 in Ontario still working. That's close to half a million people. As I said, Chair, you and I are in that bracket. I'm not going to speak for anybody else in here, but you can put up your hand if you want to.

The Injured Workers Community Legal Clinic brought this forward because they thought it was an important thing to do. Their experience in what happens with older workers is they're basically being left in the lurch at a time when life is probably less affordable for them. It's harder to gain employment—I think we all know that. It's the right thing to do to recognize that 70 years old is a more reasonable retirement age and that we ensure we recognize the reality of today—that people are working longer because they're healthier; they're working longer because they have to.

This idea of retiring at 65 for a lot of people is something that's just not there. They don't have an adequate pension. They're in sometimes precarious work, and as you get older, the risk of physical injury—I used to be in the grocery business. If I was still working there stocking shelves and slugging dairy and stuff like that—your risk of injury is pretty high, and they don't bring you in for modified work.

In my riding of Ottawa South, there was a man I knew who worked in the produce department at Loblaws—and this was a number of years ago; he must be in his eighties now. And he was probably about 75, still working, still hauling out boxes of bananas and boxes of oranges.

This amendment is important, because for those people that have to work in jobs where hopefully they don't get injured because your body just—and we would know this, Chair, not that I'm trying to pick on the two of us. It's like your battery runs out faster and it's easier to get hurt. So I think this amendment is a reasonable thing—

Interjection.

Mr. John Fraser: Well, MPP Smith, I'm not going to make any comments; you might be close to us.

I would encourage my colleagues to support this. It's just something that we want for our families and our constituents and our friends to make sure they're not penalized because of age and doing something that they have to do or doing something that's just what we do now. We picked an arbitrary age of 65 at one point years ago. That hasn't changed. We've changed and times have changed.

I just would encourage my colleagues to support this amendment. Thank you very much.

1040

The Chair (Hon. Ernie Hardeman): Further debate?

MPP Jamie West: I thank my colleague for bringing this amendment. I think there are some other amendments that are going to be on this, but I think it's an opportunity.

For the record, though: I know he talked about you a couple of times, Chair. I remember we had travelled, I think, to CSG, and I had to stay an extra day for an executive meeting. By the time I was boarding my flight, I think you went to four events already. The member might be slowing down but you don't seem to be, and I think that speaks to the point of it, right? You get to a certain age and you may want to continue to work. You may still be healthy and want to continue to move.

But I think, for the most part, a lot of the people—and we're talking about people who are injured: long-term injuries, workplace injuries—their bills go up really high. I come out of mining. Local 6500 is my union. I worked at Vale and Inco for almost 20 years. From being there, it's a physical and demanding job, and your income is pretty high. Because of the wage cap of WSIB, you end up in a really tough financial position if you've been injured, especially for a long time. You may lose your housing. You lose all of your toys. People tend to have quads—you lose your truck. Then you're starting to rebuild your life with a limited amount of income.

So your priority as a parent, very often, especially in small towns—probably everywhere—is that you do what you can to help your kids along. I know it's the decision my wife and I made, where our mortgage is now extended because we want to make sure that our kids are able to graduate without debt. So you make tough decisions, right? Even if you don't have any savings, you work extra. You put whatever you can in to help your kids get a better step in life. So for more and more people in Ontario, that opportunity to retire at 65 might be like you, Chair, where you're just not wanting to and enjoying what you do and still healthy—or it could be, financially, you just can't.

I think the part that resonates with me, and I think all of my colleagues would remember this because when Marvin made the statement—Marvin was one of the injured workers. If you noticed—I come from a workplace where people have back injuries—sometimes Marvin was sitting and sometimes he was standing because when you've injured your back, you're never quite comfortable in any position; you've got to keep moving around. But when Marvin said, "I don't know what I'll do when I turn 65 because I think I'm worth more to my family dead than alive," that's a shocking impact for all of us.

I say that to emphasize this. I thanked him for saying it because it's a personal thing to say, but it also is the sort of thing that makes you think, "Are we doing the right thing? Has the world changed?" If people can't afford to pay off their mortgage and are worried that their family is going to be homeless, we don't want them to be in a position where they lose their income—around the table, I think nobody does. And when injured workers are thinking, "I'm better off dead than alive. My family would be better served with my life insurance than with the income I'm making because of the injuries that happened to me," we need to change this. We need to adjust it.

The only recommendation, I think, on this is, I don't think we should have a requirement for the workers to keep asking for this to happen. I'm very supportive of this, but I would nudge it along to say that it should just be a blanket of 70 for people—if I'm reading it correctly, John.

The Chair (Hon. Ernie Hardeman): Further discussion?

Mr. John Fraser: There's a series of consequential amendments that deal with that. We'll have to see how that goes. Obviously, with these amendments, these consequential amendments—which I will read in anyway—we'll see where we go from there.

I just wanted to say one more thing. It's not only that WSIB should extend to age 70, but those who are working past 65 should have benefits for the full length of their working years. Ontario should extend the period of extended coverage from two years to five years. Workers injured at 68, if they're still working age, should enjoy five years of guaranteed security, not just two.

I'll leave it at that and encourage my colleagues to support this amendment.

The Chair (Hon. Ernie Hardeman): Further discussion?

MPP Lise Vaugeois: I would like to also support this motion and to note that, first of all, as the legislation is written right now, it will increase the amount of red tape considerably—lots of increased red tape for WSIB employees, but also a burden on those having to go through yet another difficult administrative process to prove that they still intended to work.

Some of us were at the pre-budget hearings in Thunder Bay. I know that MPP Kanapathi was there. I think you were there, MPP Smith. You'll recall Teddy Bobrowski, who spoke as an injured worker, and how he had lost everything. It took 10 years to actually get his money refunded. In the meantime, he had lost his house and so on, and he was living on the street.

One of the things he has said a number of times—perhaps not at that meeting, but in other spaces—is that, when he turned 65, miraculously, he was cured. All of a sudden, he didn't have a broken back anymore. Of course, he's being sarcastic, in that when 65 is the cut-off date, it does not represent reality, the reality of people with severe workplace injuries.

And what we heard from virtually all the presenters on this issue—I think the lowest age cut-off was 68 and the highest was 71—is that we should be following the lead of the federal government's approach to the last time we have to contribute to our RRSPs and so on and that we should be making it as simple as possible for the workers to access that support, which is supposed to be there for them. That's the whole reason we have the WSIB; it shouldn't be a huge ordeal to actually qualify. It seems to be something they need to qualify for automatically if they are continuing to work.

I'd like to just note that MPP Fraser has said five years' relief from the time that you can no longer work—I think that's what you said—or when the accident takes place. I would like to support that, so it could be older than 70.

The Chair (Hon. Ernie Hardeman): MPP Fraser.

Mr. John Fraser: Yes, I would just like to thank the Injured Workers Community Legal Clinic for helping us, bringing this to our attention and bringing the amendments forward. These are some consequential amendments, again, that I think are important.

I just want to go back to one thing, and I'll be quick, because I know people would like to go for a vote on this: When we're talking about the surplus and the surplus is really tilting towards employers for the last eight years—about \$21 billion worth—this is an opportunity to use that fund, because it's a fund, to ensure that we reflect what's actually happening there in the workplace with so many people. As I said, I think something like more than 400,000 people over the age of 65 are working.

And so again, I'd like to encourage my colleagues across the way and beside me—although I've heard they're going to support it—to support this amendment.

The Chair (Hon. Ernie Hardeman): Any further discussion? If not if not, are you ready to vote?

Mr. John Fraser: Recorded vote.

The Chair (Hon. Ernie Hardeman): Recorded vote requested on schedule 9, section 1, with amendment number 1.

Ayes

Fraser, Vaugeois, West.

Nays

Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): I declare the motion lost.

We now go to section 1, Liberal amendment number 2 on schedule 9: MPP Fraser

1050

Mr. John Fraser: I move that that subsection 1(2) of schedule 9 to the bill be amended by striking out subsections 43(1.1) and (1.2) of the Workplace Safety and Insurance Act, 1997 and substituting the following:

“Same

“(1.1) A worker who was less than 65 years of age on the date of the injury and is entitled to payments under this section on or after the specified date may, on or after the day the worker reaches 65 years of age and before the day on which the worker reaches 70 years of age, request that the board determine whether the worker is likely to be working in suitable and available employment or business past 70 years of age and, if so, the day on which the worker is likely to cease working in such employment or business.

“Same

“(1.2) A worker who was 65 years of age or older on the date of injury and is entitled to payments under this section on or after the specified date may, before the day that is five years after the date of the injury, request that the board determine whether the worker is likely to have

been working in suitable and available employment or business past the day that is five years after the date of the injury and, if so, the day on which the worker is likely to cease working in such employment or business.”

The Chair (Hon. Ernie Hardeman): On the third line from the bottom, Mr. Fraser—

Mr. John Fraser: Oh, did I miss something?

The Chair (Hon. Ernie Hardeman): Would you read that again?

Mr. John Fraser: Oh, I thought I made it—“request that the board determine whether the worker is likely to be working in suitable and available employment or business past the day that is five years after”—

The Chair (Hon. Ernie Hardeman): Thank you very much. You got it all now.

Mr. John Fraser: I knew I'd missed a word there somewhere.

The Chair (Hon. Ernie Hardeman): Discussion?

Mr. John Fraser: Just going back to what is reasonable and fair and a recognition of what's happening out there right now: Just walk into any retail store. Go to any work site. You see people working well past the age of retirement.

And I think that this amendment is—again, I want to thank the Injured Workers Community Legal Clinic for bringing this forward. You know, we should be making it easier for people. We shouldn't be creating hardship for people, especially in what we call their golden years, which for some aren't so golden.

So, again, I'll go back to the last thing I said about the previous amendment, which is: The fund is in surplus. It has been in surplus for a while. Let's actually have a little bit more balance. Let's tip the scales to one side a little bit more and recognize that there are workers who need to be protected past age 65 and shouldn't be in a position of hardship because we've picked a date of retirement that is—30 years ago or whenever we picked it; it must be about 30 years ago—not actually reflective of the fact that we're healthier and that people are working longer. That's just the reality, right? In a sense, it is age discrimination, when you think about it.

It's clear what this amendment does: It protects older workers. It makes sure that they have coverage, like other people younger than them would have, and I encourage my colleagues to support it.

The Chair (Hon. Ernie Hardeman): Further discussion?

MPP Jamie West: Over the weekend, I was at one of our colleagues' celebration of life, the member for Sudbury East, Elie Martel—I almost said Eloi Rancourt, who was my journeyman. Elie Martel was a champion for workers' rights, and I want to share a short story that's related to this, because when I was elected, about two weeks afterwards—I hadn't even hired staff yet—Elie showed up at my office with a stack of paper. He had been working on this case of a young man who's now in his early sixties, who at his first job, when he was 15 years old, was working at a gas station and received burns to over 80% of his body.

I don't know how Elie got involved with this, but some time during his tenure as an MPP, he started working on

this case and continued to work on it after his riding eventually became MPP Gélinas's riding—after Shelley Martel. And when I got elected, he knocked on my door and said, “I need MPPs' signatures on this to help move it up the chain a little bit,” and it was successful. That was the first WSIB case I was ever successful in, but I didn't lift a finger, honestly. It all comes to MPP Martel for doing this.

The reason I'm bringing this forward is, imagine you had an injury where you're pumping gas and you get burns to more than 80% of your body. You're 15 or 16 years old. You're 60 or just past 60 years old when you finally get redress, and five years later, you're cut off. Imagine the life, the income, the impact it had on you, your inability to work—all the other impacts. Because of an arbitrary rule, now at 65 you're cut off. I think it's supportive of this to go beyond that.

It does make sense to have a sort of safety valve. I know that previous amendment to move it forward, to have the cap no longer just be at 65—but the idea of appealing beyond to say, “Look, I would still be working. I intended to work,” I think is at least an open door.

On the infinite liability that has been brought up, this has been a chicken-and-egg-type scenario where, years ago, the Mike Harris government decided that there wasn't enough money and began denying workers at a really high level or giving them lower payouts because there wasn't enough money. Then, when there was enough money, they declared it as surplus and gave it back to the employers. This has been a thing that has happened cyclically for—my colleague would know better than I, but I'm going to say 25 years or more.

So what happens is that the point of WSIB, as my colleague MPP Fraser had said, was a great compromise. It is supposed to be a balance to prevent workers from suing their employer. We see this in the States all the time, where there's massive lawsuits to the employer, and many injured workers tell me on a regular basis, “Let's just go back to suing. I'm getting ripped off.”

Injured workers groups talk about their colleagues. They are living in poverty. They're not treated fairly. They are given the short end of the stick. They're being rejected. They have to fight and appeal, they have to fight tooth and nail, for just a minimum amount of money. Many are ending up on ODSP and living below the poverty line. Meanwhile, employers, including employers like Fiera Foods, who—I know of five fatalities in that workplace. I never heard of them before that, so there may be more. But employers are getting rebates back because of how safe their workplaces are while injured workers with major injuries have to jump through hoops and live in poverty. Let's throw them a life-line.

Like my colleague said, I think this is a supportable motion.

The Chair (Hon. Ernie Hardeman): MPP Vaugeois.

MPP Lise Vaugeois: I'd like to note that, up until the 1990s, I believe, the intent was to support the injured worker for the duration of the injury, and if that was for life, that was for life. We know some people—Steve Mantis, of course, who lost his arm, was lucky. I'll call it “lucky”

because it wasn't lucky to lose his arm, but he has been able to retain support. That changed during the Mike Harris government when the age 65 cut-off was implemented. It didn't exist before that, so I would call that age discrimination and a change that certainly harmed people with permanent injuries.

Employers are paying one third of the premiums they were paying in the 1990s. It's pretty unreal if you think of what each of us is paying for our own drivers' insurance, our home insurance. It certainly has not gone down, and we don't expect to get money back if we don't make a claim. It's shocking to me that those premiums have gone down so much and yet people with serious injuries are having to fight so hard.

WSIB has a policy of saying no. We know that because, when it goes to appeal—if the worker has the wherewithal to take it to appeal—70% of those cases are overturned in part or in full. So, in fact, the initial decision should have been yes, but it was no, and again, if they have the wherewithal to take it to appeal, they can win. But they shouldn't have to go through that.

The Chair (Hon. Ernie Hardeman): Further debate? If not, are we ready to vote on amendment number 2 to schedule 9 of section 1?

Mr. John Fraser: Recorded vote.

Ayes

Fraser, Vaugeois, West.

Nays

Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): The amendment is lost.

1100

The next amendment is NDP amendment to section 1, schedule 9, subsection 1(6).

MPP Lise Vaugeois: I move that subsection 1(6) of schedule 9 to the bill be struck out.

MPP Jamie West: I wasn't sure if we had to wait for you to confirm it or if it was debate.

The Chair (Hon. Ernie Hardeman): Okay. Debate?

MPP Jamie West: Yes, please.

The Chair (Hon. Ernie Hardeman): MPP West.

MPP Jamie West: I apologize for the delay. I thought I had to wait for you to acknowledge the amendment.

Last week, when we had people speak to this, every person who spoke about this section told us this part was bad—every single person. The only people who didn't were the medical students, who weren't talking with WSIB, and the people who were speaking about—I forget what schedule it is, but the STAR portion that has to do with talent agencies.

The United Steelworkers said this was bad. The Carpenters' Regional Council said this section was bad. SEIU said this was bad. Steve Mantis said this was bad. The

Provincial Building and Construction Trades Council of Ontario said that this was bad. Ontario Federation of Labour said this was bad. Ontario Compensation Employees Union—those are the people who do WSIB claims—said it was bad. IAVGO Community Legal Clinic said this was bad. The Workers' Health and Safety Legal Clinic said this was bad. Glenn Cockburn, who is part of the talent agencies, also mentioned this was bad, which was interesting because he wasn't speaking about this portion of it. The Injured Workers Community Legal Clinic said this was bad, and the Canadian Union of Public Employees said this was bad.

So you have 10 out of the 16 who were allowed to speak here all saying this section does not make sense and would make life harder for injured workers, make it harder for the workers who have to deal with the claims, that this would actually penalize workers and create a life of distress for injured workers with long-term, six-year injuries.

I want to couch that—the minister, when she was speaking, had said, “We are a ‘tell us once’ ministry.” All of these people coming to deputize said, not once but 10 times, “This is a bad move that you’re making. We are against this move. This will cause more complications.” It is really important that if the minister wants to be a “tell us once” ministry, that it isn't “tell us once” as the employer but “tell us once” as the employees—tell us once how it's going to be affecting you so that we don't create more red tape. Ironically, she's the Minister of Red Tape Reduction, but creating a mountain of red tape through this.

This is not a supportable part of the bill. Literally, this is the major poison pill in this bill. This is penalizing workers who are injured and penalizing them beyond the point of where they had been in the past. These are the most injured workers with the longest injuries who now, for the rest of their lives, will be on notice and in jeopardy of losing any little bit of income. We're talking about workers like Steve Mantis, who are missing an arm, who on a regular basis may be asked, “Are you still missing your arm, Steve? Can you confirm it? Can you send some medical documentation for us?” It makes no sense. It creates a mountain of paperwork, and it's penalizing injured workers.

The reality is that, as I said many times in the past, you cannot say that you stand with skilled workers if you don't stand with injured skilled workers. You can't say that you stand with mine workers if you don't stand with injured mine workers. You cannot say that you stand with workers if you don't stand up for injured workers.

The Chair (Hon. Ernie Hardeman): Further debate?

Mr. John Fraser: I mentioned this in my opening remarks. It's hard to understand, when you're calling something a bill to remove red tape, that you make people who have a serious injury for an extended period of time—you remove the protections for them or the thing that we're doing in the 72-month, six-year cap on them having to come back and prove the thing that's wrong with them again and again and again, and now you're saying, “You need to keep doing it again and again and again.” And so, there's that red tape piece to it, which is creating more work for people, creating more work for the injured worker.

But then there's back to the surplus, right? What's the point of doing this if you're already in surplus? Where's the balance between the employer and the employee? It's kind of, “There but for the grace of God go us” that we're not sitting in their chairs. And seeing this in front of them is all of a sudden going to make a whole bunch of people, going forward, have to report on something that they haven't had to report on, and they have a serious injury.

So it kind of feels like the government giveth with one hand and taketh away from the other, and I don't see what the obligation is to take away. It's been tilted on the side of employers for a long time. I think it was Carmine from the building trades who came in and said, “I know which employers are asking for this and it is such a small fraction of people. There are other ways to deal with that.” In trying to get at a very small fraction of people—I think it's just something like less than 2%, because it's just an anomaly—you're penalizing everybody. How does that make any sense?

I know that probably there's some feeling when you're doing a piece of legislation that you're trying to keep everybody happy, right? You're trying to make sure that employers get a little bit of what they want so they won't complain about the bill. This 72 months—it's more than a poison pill. I mean, I said I am going to abstain on this legislation because there's a piece in here that a whole bunch of people worked on, and I've had the pleasure of working with a whole bunch of people on, to protect people in residential care by making sure they were treated fairly and got WSIB. But if that wasn't in the bill, I would not abstain. And this provision in the bill really makes me feel like not abstaining. It's just not fair. It doesn't pass the test of fairness. I don't think that's unreasonable. My colleagues didn't write the bill.

I just would encourage you to think about—not the big picture, but imagine yourself with a serious musculoskeletal injury or an exposure, a chronic disease caused by your workplace. You have to keep going back again and again and again. This 72 months was put in place to prevent that from happening and to prevent the extra work that it creates, because it's pointless. So think about that. Think you've got—my colleague MPP West, in mining—an occupational injury because of the particulate you inhaled. Is it fair for you to come back again and again and again after 72 months, after six years? It seems very punitive. It just doesn't pass the test of fairness. I don't understand the need to put this in this bill, especially when you hear from the compensation workers who, I think, are the number one place in Canada for a stress-filled workplace because of their workload, so you're going to give them more?

The other piece that we don't—we're not sitting on the other end of these claims. Many of you, I'm sure, have had a chance—I know I've had a chance—to meet people who are looking for some help with workers' compensation. My colleague MPP West talked about this one individual—how much work that is. Well, when you're sitting on the other end and you're seeing what happens to people's lives—the pressures that happen to them because they're injured and they can't work, the pressures because they're

not earning the income that their family needs—it's a really hard job because you're listening to, in some cases, tales of human misery, right? People are hurting and they don't have a way out. So the people who hear this every day, it's really hard, and if you keep piling it on, it's not going to get easier. It will injure them.

1110

I know of cases of people who are working in this line of business, and they go, "I can't do this anymore. I can't adjudicate these things. I can't deal with these claims." We need those people to make this thing work. And so that's another reason why this doesn't make sense, and I just would encourage you to support my colleagues.

The Chair (Hon. Ernie Hardeman): Further debate?

MPP Lise Vaugeois: I'm going to restrict my comments at this moment to the notion of clawing back if a person's income theoretically goes over 100% of the WSIB claim. Now, first of all, if there are government payments, those are entitlements that everybody else in the province can have and hopefully add a little bit to their income.

This seems to be a solution looking for a problem that doesn't actually exist. We have 2.4% of workers who are still on loss of income after 72 months—and I'm going to talk about that more later.

But what a worker gets from workers' compensation is meant to compensate for the injury, for the change in a person's life. A person's life is completely turned upside-down. If you have a back injury or you have been poisoned, you can't function in the way that you did before. You can't do things with your family. You may not be able to—well, I've heard this from workers who have been severely incapacitated; that they can't do things with their families anymore. They can't do things with their kids. Their lives have changed utterly. Somebody who used to cycle everywhere and hike with their kids and kayak with their kids—all gone.

So what they're getting from the WSIB, really—it's the loss of earnings, but it barely compensates for what has actually happened in a person's life. And then to decide that you're going to claw back any little bit of money that anybody else is entitled to, as if that was, somehow—that you should never have gotten as much as you did—it's usually very little from the WSIB—it's punitive. It makes no sense. As I say, it's a solution in search of a problem that I don't believe exists.

But it will be an excuse, and I think Carmine—I've forgotten who he represented—

Mr. John Fraser: Building trades.

MPP Lise Vaugeois: Building trades?

Mr. John Fraser: Yes.

MPP Lise Vaugeois: —said that it's going to create a cottage industry. We believe these are schedule 2 employers. There will be this new cottage industry of people actually looking to help them save more money on the backs of injured workers. How can we get more money out of those injured workers? What a terrible objective for any company to be taking on. And certainly, we know we're going to see this; people going into business to help schedule 2 employers claw back money.

There may be another solution, and that perhaps schedule 2 no longer needs to exist as a distinct category—and you'll find that recommendation in documents that we received—so that there's no longer an incentive to be running away from WSIB responsibilities.

The Chair (Hon. Ernie Hardeman): MPP Fraser.

Mr. John Fraser: I would just like to respectfully request that somebody tell me why I shouldn't support this motion—anybody.

The Chair (Hon. Ernie Hardeman): Any further discussion?

MPP Jamie West: Our colleagues from the government side haven't made a comment about any of these changes here, and it's interesting. I think the absence of saying something speaks volumes.

On the loss of earnings, I'm just going to have it on the record here: There is a history of the government rewarding employers on the backs of injured workers—declaring unfunded liabilities to deny workers, to make cuts, to cap them at 65, to create a loss of earnings, to create all of this tightening of the belt on the workers and to make life more difficult for them, and then when there's a surplus, to dole out \$21 billion in rebates into lower premiums and continually to find more ways to funnel money back to the employer.

There are some good, safe employers out there, but there are many who are not, and we need to recognize that. We need to recognize that there needs to be fairness in the system; that if you're injured in the workplace, you'd be compensated. And if we're not going to do that, then let's get rid of WSIB and allow the injured workers to sue. Let them take them to court. Maybe if we bankrupt a couple of bad businesses instead of patting them on the back, giving them a little cookie and saying, "Maybe next time you'll do better. Maybe you won't kill a sixth person in your workplace," then maybe the world would change a little bit.

But right now, that isn't the system we're working with; we're working with this loss of earnings. I believe the intent of this, what's in here—and my colleagues from the Conservative Party may not recognize this—is that any workers that have extra income coming in from other sources from the government, if they are lucky enough to have a pension plan, they're going to take that little bit of money coming in and they're going to take that away from the worker, that little augmentation so that maybe you don't have to live in a single room with a shared bathroom down the hall; maybe you can get a bachelor apartment, have some dignity to your life. They're going to take that sliver of money away and they're going to rebate it back to the employer that injured them, and that's shameful.

The Chair (Hon. Ernie Hardeman): MPP Fraser.

Mr. John Fraser: I just want to go back to Carmine's testimony. He said something really interesting that I just remembered. What he said was that you're going to build a cottage industry, and people will go to employers and say, "If I can save you this much money on this worker that you're paying for, will you give me 50%?" And employers will go, "Sure, I'll do that." It would be a lucrative business. You're creating a market that will punish workers

based on a financial incentive. I really want somebody to tell me why I shouldn't support what my colleagues are suggesting.

The Chair (Hon. Ernie Hardeman): Anything further?

MPP Lise Vaugeois: I would like to also note that because there are so many challenges getting compensation from the WSIB, that there are also companies that are really pressuring their employees not to report—and in fact, not only not reporting but encouraging people to continue working when they have been seriously injured.

What happens is that people wind up on opioids and they wind up addicted to opioids. These are very significant numbers of people in the construction trades and in mining who are addicted to opioids because of the fear—partly from the employer but also knowing the experience of people making claims to the WSIB—that they would rather mask their pain and continue working because they know that the moment they stop working, they're going to take a huge cut in income. That's assuming that they can actually get their claim heard on time and get a resolution on time—they're still going to get at least a 15% cut in income, and so they keep working.

This government decided to get rid of the safe consumption sites, but what I know from visiting those sites is how many workers in the trades were using those sites for safety and, ultimately, in the hopes of getting treatment. But we need to recognize that the system is not working. It's working for very, very few people. It's working for people who have a short-term injury. Perhaps you broke your arm and you need to be off for a couple of months; that's probably going to come out okay. If you have a serious injury, you are going to find that the WSIB is not there to support you, and this bill finds more and more ways to harm people with permanent injuries. It certainly doesn't help them.

The Chair (Hon. Ernie Hardeman): Further discussion? Ready to vote?

1120

MPP Jamie West: Recorded vote.

Ayes

Fraser, Vaugeois, West.

Nays

Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): I declare the motion lost.

Next is Liberal amendment number 4—section 1, schedule 9: MPP Fraser.

Mr. John Fraser: I move that subsections 1(6) and (7) of schedule 9 to the bill be struck out.

The Chair (Hon. Ernie Hardeman): Debate?

Mr. John Fraser: I think we fairly laid out the reasoning for doing this, because this amendment and the amendment following this are essentially all going to be about the same thing. The only thing I'm going to say about this amend-

ment is, can somebody tell me why they're voting against this amendment?

The Chair (Hon. Ernie Hardeman): Further debate?

MPP Jamie West: I would agree with my colleague. I think all of the amendments, except for maybe two, coming forward have to do with schedule 9. This is the part that people were the most clear about they didn't want those changes, they were very frustrated at the changes. They thought it would make life harder for the workers of Ontario. And our colleagues from the government side have been silent in these debates. I think that we've been articulate about why we see it a certain way. I know that the role of debate is so that people can help educate each other about seeing things positively, but it is a frustrating experience to be in committee and to just have the government side wait for the vote so they can shuffle it through and get the heck out of here.

The Chair (Hon. Ernie Hardeman): Further discussion?

MPP Lise Vaugeois: I must say I'm also disappointed that the government side is not prepared to actually defend the sections that we are trying to amend.

Over the last 15 years, Ontario has undertaken several major WSIB reviews, including the 2010 funding fairness review by Professor Harry Arthurs, the 2016 Jim Thomas benefits policy review and the 2018 Speer and Dykeman operational review. Not one of these reviews identified the 72-month lock-in as an issue. They did not recommend its removal; they did not find evidence of systemic over-compensation. So this 72-month lock-in has never been identified as actually a problem. Again, this is a solution in search of a problem, and it is a solution that very definitely harms in a very calculated way. It creates a place of purgatory. And when I say "purgatory," that means that you've basically got the flames of hell lapping at your feet and you see some place in the distance where you might have some security, some safety, but you're never going to get there.

Now, the 72-month lock-in: Six years is a long time to be surveilled and constantly questioned as to whether your injury persists, is real. We're talking about 2.4% of workers are the only workers with permanent injuries who are still under consideration, so it's a very small number of people, and yet this government said it was, "Ask once, and that's it." Have I got the expression?

MPP Jamie West: "Tell us once."

MPP Lise Vaugeois: "Tell us once." Well, in this case the government wants the injured worker to tell them again and again—to get new doctors' reports. Who's paying for that? It's ad infinitum that this worker with a permanent injury is going to be tortured. For what reason? To claw back a little bit more money? Why would you do that? We already have the extremely offensive process of deeming, which is when the WSIB declares that you have a job. You don't have the job, you may not be capable of the job, the job may not exist, and yet they will claw back that money.

Let's say you are a minimum wage worker. You've got a serious injury. Well, first of all, you're really—I don't think I can use that language, but things are not good. Your

outlook in life is not good. Now, let's say the minimum wage goes up. Let's say you've been deemed you're going to be a parking lot employee—even though they don't exist where I live. And then, when the minimum wage goes up on your pretend job that doesn't exist, they're going to take back even more from you. It doesn't make sense if you have any care whatsoever for people—not just workers—and their lives and their families and the communities around them. It's going to cause tremendous harm.

There is no rationale whatsoever for removing that cap. Six years is already too long, in my opinion, to be torturing people. That's what it is. It is also creating an enormous amount of red tape for the people who actually work at the WSIB. They're not asking for this; they are also opposed to this.

The Chair (Hon. Ernie Hardeman): Further debate? Ready to vote?

Mr. John Fraser: Recorded vote.

Ayes

Fraser, Vaugeois, West.

Nays

Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): The amendment is lost.

We now go to NDP section 1, schedule 9, subsection 1(7): MPP West.

MPP Jamie West: I move that subsection 1(7) of schedule 9 to the bill be struck out.

The Chair (Hon. Ernie Hardeman): Debate?

MPP Jamie West: It's very similar to the last one we debated. Again—a lot of silence from the Conservative government side on this bill that we heard.

Just for the record—again, I'm going to read all the names: United Steelworkers, when they spoke to us, were against this; Carpenters' Regional Council were against this; Steve Mantis was against this; the Provincial Building and Construction Trades Council of Ontario was against this; Ontario Federation of Labour was against it; Ontario Compensation Employees Union, the CUPE local that takes care of WSIB claims, was against this; IAVGO Community Legal Clinic was against this; Workers' Health and Safety Legal Clinic were against this; Injured Workers Community Legal Clinic was against this; and the Canadian Union of Public Employees were against this.

The minister, when she came here, said, "I am a 'tell us once' ministry." You have 10 people who were able to get their name submitted to us in about a six-hour window so they could come and deputize to us. In their rush to jam this through, the Conservative government made a mistake on the date they wanted to have the first tabling and had to move it an additional day over. So all those people who were lined up, including people travelling from Sudbury,

had to make travel arrangements, travel plans, cancel their hotels, rebook, pay the penalty to move over, to come another day, and still come all the way here.

As my colleague Sean Staddon would say, "I don't want to be here. I work at a mine. I don't want to wear a suit. I want to wear jeans. I want to wear a T-shirt. I don't want to come down to Queen's Park. I don't want to pay for the parking or the hotel. I don't want to be stuck in traffic. But it's important that my members know I'm fighting on their behalf. I'm going to come here and I'm going to tell the committee, I'm going to tell the minister, that what you're doing is wrong and harmful to workers."

I can guarantee you that my colleagues in the Conservative Party aren't going to say a word in this debate. I can guarantee you the minister is not a "tell us once." The minister has marching orders, and she's going to do what's in this bill and ram it through.

That frustration is palpable. We have workers out there who are injured with long-term injuries. My colleague just mentioned—2.4% of injured workers.

I want to talk about someone at my workplace. I don't want to use his name. You will know, in the story, why, so I'm going to say "Donald." When I got hired at the smelter—it's a seniority system. You start in, basically, the worst workplaces. Part of my job was shovelling on M-floor. M-floor has a fine dust, about the consistency of flour, but it has the "dirty dozen." Those are all of the minerals, all of the contaminants, that could harm you: things like lead or arsenic—the poisons, basically. So you wear a respirator full-time. In the summer, you drink your sweat because you don't want to take your respirator off.

Now, my colleague—who I'm calling Donald—who trained me, on his retirement day was in better shape than I've ever been in my life, but spent most of his career working on M-floor. He liked the work; it was physical—a sense of satisfaction with cleaning up.

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I ran into Donald about two months after he retired, and he was missing a portion of his jaw from cancer. He didn't want anyone to know. He was wearing a mask. If you think of cowboys and Indians when you're a kid—he was wearing a hanky around his face to hide the disfigurement. He couldn't come join us for breakfast anymore because when he ate, food fell out of the side of his mouth. He couldn't go for coffee anymore because the way he drank was that he squirted the liquid to the back of his throat, and some would dribble down the side of his face.

I would imagine, due to his age, he has probably passed away now, but I have no idea because he was cut off from having any kind of social interaction because of his embarrassment and shame that happened from a workplace injury.

This Conservative government comes along and crocks this out as a power bill to help workers, pretending this is going to help workers, knowing there are people out here who are going to be penalized by this. This is a shameful part of this bill.

You take a worker like Donald and the mental health he's having, the physical struggles he's having, the frus-

tration of his wife who is waiting for him to retire so they can go on honeymoons and go on vacation and travel and visit with their grandkids, knowing they're going to lose him soon, and the government tables a bill wrapped up in a bow about how great this is for workers and slaps that worker in the face and let's them know, "I don't care if it's been six years."

Prior to today, if you had a long-term injury for six years, on the seventh year, I wouldn't phone Donald and say, "Hey, is your jaw still missing? Hey, Donald, are you still injured? Can you let us know?" "Hey, Steve Mantis, is your arm still missing? Are you still in a wheelchair? I want to make sure you're still in a wheelchair because I want to"—at every opportunity, the Conservative government wants to be able to claw back and peel back any ounce of money and give it to your employer who injured you in the workplace. This is wrong.

This bill isn't about protecting workers. I mean, the majority of these labour bills are slight little nudges, but this is harmful to workers, and this is harmful to the most injured, most vulnerable workers. This part of the bill needs to be struck out. This is not about helping people.

I don't know if the Premier lost his mind when he was in his jet plane, but he has certainly lost touch with working class people, with people living in poverty and with injured workers. It is a shameful part of the bill. It needs to be removed.

I look forward to hearing from the Conservative government to advocate about why this is an important part of this bill.

The Chair (Hon. Ernie Hardeman): Further debate?

Mr. John Fraser: I just want to say that I want to thank my colleague for reminding me about the private luxury jet. I thought I'd forgotten it over the long weekend, but not now. I appreciate it.

The object of this is not to make it as painful for you as possible. We do want to say the things that are important over here and why we're doing it. In fairness to my colleagues on the other side, the ministers or ministries have to arm you with some sort of cogent argument as to why we're doing this, whether that's a financial one, the necessity of doing it. I think that's fair, and I'm not putting it on you. You didn't write the bill. You're here.

But they have to give you something that says, "We're doing this because it costs too much money." I'm not hearing that, the exercise that we're going through here right now doesn't seem like it's working. We're supposed to convince each other of why we're doing the things that we're doing, and it would be good for me to understand the reasons.

Thanks, Chair. I just wanted to say that.

The Chair (Hon. Ernie Hardeman): Further debate?

MPP Lise Vaugois: I do wonder, and I am concerned that we're not hearing any arguments. The members have heard many, many concerns and heard people's life experiences. So I can only think that the decision is made beforehand, higher up, not to say anything, not to defend anything in the bill, not to speak to this and not to respond to the suffering that we all learned about during the hearings last week and that they're hearing about today.

It really highlights the issue that's raised in section 2, where somebody has made a decision somewhere, and it really doesn't matter what evidence there is against it. It's going to happen anyway, so why bother listening? Why bother having committee hearings? Why bother having all of these lengthy submissions?

I'll say that there's double the number of submissions than there were presentations last week. They all say the same thing: Removing the 72-month lock-in is extremely harmful and serves no one—serves no worker, no injured worker. It will create a cottage industry with the goal of stealing more money back from people who already are struggling to survive.

You know what? It also prevents any kind of financial planning. How do you plan anything? How do you apply for a mortgage, if you're lucky enough to have enough income coming in to get a mortgage, when in six months from now, WSIB could come back and say, "Hey, I'm going to claw back a bit more"? Well, so much for your financing planning. You have no idea. It could happen to you at any time.

Six years is long enough. We have the evidence. I'm frustrated to be part of a process in which there is a refusal from the outset to have any give-and-take to respond whatsoever to evidence.

The Chair (Hon. Ernie Hardeman): Any further discussion? Are we ready to vote on this amendment?

MPP Jamie West: Recorded vote.

Ayes

Fraser, Vaugois, West.

Nays

Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): The motion is lost.

The next NDP motion: section 1, schedule 9, subsection 1(8): MPP West.

MPP Jamie West: I move that subsection 1(8) of schedule 9 to the bill be amended by striking out "the specified date is the day subsection 1(2) of schedule 9 to the Protecting Ontario's Workers and Economic Resilience Act, 2026 comes into force" in subsection 43(12) of the Workplace Safety and Insurance Act, 1997 and substituting "the specified date is January 1, 2026."

The Chair (Hon. Ernie Hardeman): Debate?

MPP Jamie West: This is basically housekeeping. Earlier, the Conservatives had a housekeeping issue where they had to adjust the Auditor General, I believe. Something was overlooked.

What happens on this is, the bill is going to come to commencement basically once we're all done, once it gets through third reading. Who knows what day that will be. That means that some workers this year will turn 65 before this rises, and some will turn 65 afterwards and be cut off

from their benefits or the ability to apply for an extension to their benefits.

The rationale for this change is that you make it January 1 so that if your birthday falls within this calendar year, no matter where in the calendar year, you would be able to apply for that extension. It would allow the commencement to start January 1.

There's always going to be somebody who is not going to be happy with the start date. But it seems reasonable that workers like Ron Rousseau, who I spoke about during the question period, who the Minister of Labour met when he was in Sudbury—Ron has a tumour in his lungs. He is a miner underground and has a tumour the size of a mandarin orange, so probably the same as this. He's considering returning to work with his injury because his birthday is going to be in June, and he's not sure if this will reach royal assent or he'll be able to apply for an extension of his benefits while he's fighting lung cancer.

For people like Ron, who are in that precarious situation, who are maybe hoping that our debates will be shorter today so this will run through even quicker, this seems like a reasonable amendment so that what we can say is that we didn't get it right for everybody, but at least anyone within this calendar year would have equal access to the few positive changes that are being proposed here. I don't want to beat a dead horse into the ground; that's the basically the policy. I think it makes sense. I'd be interested in hearing feedback from the government side.

1140

The Chair (Hon. Ernie Hardeman): MPP Fraser.

Mr. John Fraser: I have a question for legislative counsel. Will this amendment impact the date on which the provision in the bill for WSIB for retirement home workers and group home workers—when that can be enacted?

Ms. Kristi Cairns: So this specified date is for the purpose of—if you look at subsection 1(8), it's just for the purposes of 43(1.1), (1.2), (1.8) and (1.9).

The Chair (Hon. Ernie Hardeman): MPP Fraser.

Mr. John Fraser: Thanks to legislative counsel for that.

I'm going to support this amendment. I think it's a fair thing to do. I'm just going to say, the reason I asked this question is I raised some concerns earlier in committee as to the commitment of the government to deliver on the thing that so many people have been working on for so long. As we know, when we get through the committee, we get through third reading, it's kind of out of our hands, all of us. We're dependent on the executive to execute.

So I just raise that because I think those are valid concerns for all members who are looking at these bills to make sure that things are enacted in a way that's fair, that they're actually enacted and put into place. I just wanted to reiterate that and just to say that I think the piece that's really important to me in this bill, that's making me abstain, is I'm getting the feeling I'm going to have to follow it for a while. I hope that's not the case. Thank you, Chair.

The Chair (Hon. Ernie Hardeman): Further discussion on the amendment?

MPP Lise Vaugeois: So we're talking about, really, a small amount of sort of retroactivity, which I fully support.

But I want to maybe take the opportunity to talk about the proposal that's coming from very many injured workers support groups about making the increase from 85% to 90% retroactive to when that money was first removed.

As a reminder of the history, when that money was taken away, the money for retirement benefits was also cut in half at that time, and it's much lower today than CPP requirements from employers. The idea was—they took that money away from injured workers in order to address the unfunded liability. Now, they didn't take it away from employers; they only took it away from injured workers, which in itself is questionable. So essentially it was a loan from injured workers, and when that unfunded liability was addressed—and it's no longer the case; we have enormous surpluses right now—instead of restoring that funding to those workers, it was given as a bonus to employers.

The Chair (Hon. Ernie Hardeman): We are speaking to the amendment, not to the whole bill.

MPP Lise Vaugeois: Right.

The Chair (Hon. Ernie Hardeman): So if the member would make sure that that's where we're going and get back to that.

MPP Lise Vaugeois: Right. Well, I will conclude by saying that I support this but that I also hope that the government will also consider other aspects of retroactivity.

The Chair (Hon. Ernie Hardeman): Any further debate on the amendment? If not, are we ready to—question?

Mr. John Fraser: Recorded vote.

Ayes

Fraser, Vaugeois, West.

Nays

Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): I declare the motion lost.

That concludes the amendments.

Shall schedule 9, section 1, carry? Are you ready to vote? All those in favour?

MPP Jamie West: Sorry, what are we voting on?

The Clerk of the Committee (Ms. Lesley Flores): Schedule 9, section 1.

MPP Jamie West: Okay, sorry. Recorded vote, please.

The Chair (Hon. Ernie Hardeman): Schedule 9, section 1: All those in favour?

The Clerk of the Committee (Ms. Lesley Flores): MPP Kanapathi; MPP Racinsky; MPP Smith, Peterborough-Kawartha; MPP Triantafilopoulos; MPP Vickers.

The Chair (Hon. Ernie Hardeman): Opposed?

The Clerk of the Committee (Ms. Lesley Flores): MPP Smith; MPP Vaugeois; MPP Fraser.

The Chair (Hon. Ernie Hardeman): The motion is carried.

Mr. Dave Smith: Point of order: You said "MPP Smith"—that MPP Smith voted against it and did not vote in favour.

The Clerk of the Committee (Ms. Lesley Flores): I'm sorry. Thank you. Sorry.

MPP Jamie West: That was MPP West. You said "Smith" instead.

The Clerk of the Committee (Ms. Lesley Flores): Sorry, MPP West. Thank you.

The Chair (Hon. Ernie Hardeman): We'll go to schedule 9, section 2. We have a Liberal amendment.

Mr. John Fraser: I move that subsection 2(2) of schedule 9 to the bill be amended by striking out "65 years" in clause 44(2.1)(h) of the Workplace Safety and Insurance Act, 1997 and substituting "70 years".

The Chair (Hon. Ernie Hardeman): Discussion?

Mr. John Fraser: I'm just trying to do what I've been trying to do for a while here—let's reflect on what's really going on out there. People are working longer. I think it's fair.

I just would like to hear something about why this is an unreasonable thing to do or why it's an ill-advised thing to do—whatever reason. We've got staff here; they must have an answer, right? I appreciate what's going on. People have to arm you with the arguments, so it would be good to hear them, and I will listen and I'll try to be convinced.

The Chair (Hon. Ernie Hardeman): Further discussion?

MPP Jamie West: We have been talking about this all day, so I promise I will be brief.

I want to echo my colleague's comments about this. During the election we all knock on tons of doors. I'm sure we've met seniors living at the poverty line, just desperate to have any sort of income to hold onto. I met several who just openly told me they go to food banks. I wasn't probing, wasn't asking questions. They just said, "All of my pension goes towards housing, all of my partner's pension goes towards the bills and there's nothing left for food." Injured workers are in these conditions, too.

So I would echo my colleague's comments, wondering why the government won't explain why they don't support this. There is no debate happening here today. It is all one-sided.

This morning I was on the radio, and they asked me about being in opposition and not having a seat at the table. And I said, the reality is that I don't know if the government side has a voice. They're not allowed to say anything about it. They're not allowed to say, "I have an opinion"—at least not outwardly.

So this morning—today—we're getting close to two hours, and there has been little conversation, aside from what they said about their amendment. We're not having a debate; we are having a wait, where New Democrats and my colleague from the Liberal Party explained why we want these changes to happen—open to feedback—but don't hear anything back. And it's a frustrating experience, because I think this goes back to the amendment about the environment, where the minister basically says, "I don't have to tell you, I don't want to tell you, I don't need your feedback." That's what we're experiencing here: There is no feedback. This is a government that is proud

of their ritual of doing "ready, fire, aim" politics—getting it wrong, fixing it later, but not listening to the public.

The Chair (Hon. Ernie Hardeman): I just want to point out to the committee, I've been to committee for a long time, as was mentioned earlier. I can tell you that what we're doing is the committee's work and it's not any member of committee to tell other members how they're supposed to do their job—just do our own. So we're speaking to this amendment. Speak to the amendment.

Mr. John Fraser: I'd like a clarification from my colleague. MPP West, did you say "wait" or "wake"?

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MPP Jamie West: It's a little of both.

The Chair (Hon. Ernie Hardeman): Further debate on the amendment?

MPP Jamie West: No more.

The Chair (Hon. Ernie Hardeman): If there's no further debate on the amendment—

Mr. John Fraser: Recorded vote.

The Chair (Hon. Ernie Hardeman): —we'll call a recorded vote as requested.

Ayes

Fraser, Vaugeois, West.

Nays

Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): I declare the motion lost.

We'll now go to number 8, a Liberal amendment: MPP Fraser.

Mr. John Fraser: I move that subsection 2(3) of schedule 9 to the bill be amended by striking out "65 years" in subsection 44 (2.2.1) of the Workplace Safety and Insurance Act, 1997 and substituting "70 years".

The Chair (Hon. Ernie Hardeman): Debate?

Mr. John Fraser: All I'll say is this is another opportunity for redemption. I would offer to my colleagues that you can redeem yourselves by voting for this amendment and reflecting what's going on out there and supporting older injured workers in the workplace.

The Chair (Hon. Ernie Hardeman): Further debate?

Mr. John Fraser: One more thing, Chair: The member mentioned purgatory; I just thought redemption would be a good analogy.

The Chair (Hon. Ernie Hardeman): Further debate? No further debate. I'll call the question.

Mr. John Fraser: Recorded vote.

The Chair (Hon. Ernie Hardeman): All those in favour of the amendment?

The Clerk of the Committee (Ms. Lesley Flores): MPP Fraser; MPP West; MPP Vaugeois.

The Chair (Hon. Ernie Hardeman): All those opposed?

The Clerk of the Committee (Ms. Lesley Flores): MPP Kanapathi; MPP Racinsky; MPP Smith; MPP Triantafilopoulos; MPP Vickers.

The Chair (Hon. Ernie Hardeman): I declare the motion lost.

Mr. Dave Smith: Point of order, Chair?

The Chair (Hon. Ernie Hardeman): MPP Smith.

Mr. Dave Smith: There are four MPP Smiths so, unfortunately, you have to say MPP Smith, Peterborough–Kawartha.

The Clerk of the Committee (Ms. Lesley Flores): MPP Smith, Peterborough–Kawartha.

Mr. Dave Smith: Thank you. There are actually two Dave Smiths as well.

The Chair (Hon. Ernie Hardeman): We're at amendment 9 and, again, it's a Liberal amendment: MPP Fraser.

Mr. John Fraser: I move that subsection 2(4) be added to schedule 9 to the bill:

“(4) Subsection 44(5) of the act is amended by striking out ‘65 years’ and substituting ‘70 years’.”

The Chair (Hon. Ernie Hardeman): Debate?

Mr. John Fraser: You've got another chance, folks—one more time. That's all I've got to say. Everyone's watching.

The Chair (Hon. Ernie Hardeman): Any further debate? If you're ready to vote—a recorded vote?

Mr. John Fraser: Recorded vote, yes.

Ayes

Fraser, Vaugeois, West.

Nays

Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): The motion is lost.

We now have a NDP notice of motion. MPP West.

MPP Jamie West: My colleague will speak on the debate.

The Ontario NDP recommends voting against section 2 of schedule 9 to the bill.

The Chair (Hon. Ernie Hardeman): I point out to the committee that the debate will be: Shall schedule 9, section 2, carry?

MPP Lise Vaugeois: So this is about concerns about the lock-in provision after 72 months and is in opposition to the removal of the lock-in.

I just want to reiterate how many people and how many organizations have spoken against removing the lock-in: United Steelworkers Local 6500—actually, we heard from two other locals of United Steelworkers as well; Carpenters' Regional Council; Steve Mantis from ONIWG and from the Thunder Bay and District Injured Workers Support Group; the Provincial Building and Construction Trades Council of Ontario; Ontario Federation of Labour; Ontario Compensation Employees Union—those are the

people who work at the WSIB; the IAVGO Community Legal Clinic; Workers' Health and Safety Legal Clinic; Injured Workers Community Legal Clinic; Canadian Union of Public Employees. I'll also note that we heard from EMS workers, from retired police officers, from retired firefighters. We also heard from Injured Workers Action for Justice, Justice for Migrant Workers and Northumberland Community Legal Centre.

The list is very long—I think that might be enough for now. But it's significant and consistent. I note that people in favour of this section did not come to committee—but that all of these groups representing injured workers and unions where workers are still healthy, but their role is to make sure that they're protecting the workers who are there and protecting workers if they become injured. So it is a resounding concern about lifting that 72-month lock-in phase. As we've said many times, it will cause severe harm to those workers, and it's only representing 2.4% of the caseload at the WSIB.

The Chair (Hon. Ernie Hardeman): Any further debate on schedule 9, section 2?

Mr. John Fraser: I just wanted to clarify something. My colleague MPP Smith said nobody was watching, but I just wanted to confirm. I just got a text message that said, “Indeed, we are watching.”

Mr. Dave Smith: Your staff don't count.

Mr. John Fraser: I don't think Lucille works for me. She's my colleague.

The Chair (Hon. Ernie Hardeman): If there's no more debate to schedule 9, section 2, I'll call the vote.

MPP Jamie West: Recorded vote, please.

Ayes

Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

Nays

Fraser, Vaugeois, West.

The Chair (Hon. Ernie Hardeman): I declare the motion carried.

I think that does cause us to get to the clock being 12 o'clock, so we will now recess until 1 o'clock.

The committee recessed from 1159 to 1300.

The Chair (Hon. Ernie Hardeman): Good afternoon, everyone. I call this meeting of the Standing Committee on Finance and Economic Affairs to order. We are meeting to resume clause-by-clause consideration of Bill 105.

Before the recess, the committee voted on schedule 9, section 2. We will now proceed with consideration of schedule 9, section 3, starting with Liberal motion number 10.

Mr. John Fraser: I move that section 3 of schedule 9 to the bill be amended by striking out “the board may review payments as frequently as it determines appropriate” in subsection 44.1(3) of the Workplace Safety and Insurance Act, 1997 and substituting “the board may review

payments only if at least 72 months have passed without a review of the payments to the worker”.

The Chair (Hon. Ernie Hardeman): There is a correction. You need to reread the second line.

Mr. John Fraser: Okay: “may review payments as frequently as it determines is appropriate in subsection”—

The Chair (Hon. Ernie Hardeman): Thank you. You forgot the word “is” the first time. Debate?

Mr. John Fraser: We’ve been talking about the same issue around 72 months and what’s happening to workers. I’m not going to make all of those arguments again other than to say, tell me why I shouldn’t put this motion forward.

The Chair (Hon. Ernie Hardeman): Further debate?

MPP Jamie West: Earlier, there was a comment about how no one was watching, and I just want to say I got a message on Messenger saying, “I saw you speaking during committee. I just want to thank you for your efforts in supporting injured workers like myself.” There is more to it to that, but I think there are a lot more people watching than we think. So I just want to have that on the record.

This is an important issue. I know, during the deputations, we had no one come in person speak in favour of doing this. We had 10 people speak against doing this. I skimmed all of the written deputations. My colleague printed them out and read them. She has no record of anyone speaking in favour of this. I don’t know how the government can defend doing this when everyone who spoke to this either absent of saying anything or very clearly saying this is a mistake that you’re making.

I get, sometimes, the intention. There is a portion of this bill that I thought sounded pretty good until I heard from advocates telling me that they’ve made a mistake. I think it’s important, when people who are experts in this field tell you you’re doing something wrong, to listen. That’s our role.

The Chair (Hon. Ernie Hardeman): Further debate?

Mr. John Fraser: Just a reminder of some of the discussion this morning: This is 2.4% of workers who fall into this category. Carmine from the Ontario building trades reminded us that, by doing this change, it will create a boutique labour market, or I guess I should say—

MPP Jamie West: Cottage industry.

Mr. John Fraser: Cottage industry—thank you; I thank the member from Sudbury for his help—where somebody can come and say, “You know what? If I can save you all this money, will you give me 50%?” And I know somebody who has done that in another industry, construction, around taxation. This was about 30 years or 40 years ago, and he did quite well. So it’s creating a financial incentive to put workers through something they don’t need to go through. It hasn’t been recommended by anybody—any of our parties have put forward to take a look at WSIB not once over the last 30 years.

What I would like to understand is why there’s a need to do this. I haven’t heard that in this committee. We haven’t heard it in debate. It would be nice to hear it.

The Chair (Hon. Ernie Hardeman): Further debate?

MPP Lise Vaugeois: I want to note that the idea of eliminating the 72-month lock-in is really rooted in stigma: damaging stigma and harmful assumptions that injured workers want to sit at home and get paid or are not really disabled and will work and double-dip after the six-year date. This notion of being on probation perpetually, it’s kind of a criminalization of people who are on WSIB because it assumes that they are guilty of something. This should not be happening. WSIB was created to support people in their time of need, not to harass them.

The Chair (Hon. Ernie Hardeman): Anything further? Are we ready to vote?

Mr. John Fraser: Recorded vote.

Ayes

Fraser, Vaugeois, West.

Nays

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): The amendment is lost.

Amendment number 11: MPP Fraser.

Mr. John Fraser: I move that section 3 of schedule 9 to the bill be amended by striking out subsection 44.1(8) of the Workplace Safety and Insurance Act, 1997 and substituting the following:

“Same

“(8) The following shall not be prescribed under paragraph 1 of subsection (7):

“1. Disability payments described in paragraph 2 of subsection 43(5) paid to the worker in respect of the injury under the Canada Pension Plan or the Quebec Pension Plan.

“2. Disability payments paid to the worker in respect of the injury under the Canada Disability Benefit Act.”

The Chair (Hon. Ernie Hardeman): Debate?

Mr. John Fraser: I think it’s pretty self-explanatory. What we’re trying to say is, you shouldn’t be clawing back from workers. This is workplace safety and insurance. These payments shouldn’t be clawed back from workers.

I would really, really like my colleagues to support this amendment. I think it is fair to workers. I will just leave it at that.

The Chair (Hon. Ernie Hardeman): Further debate?

MPP Lise Vaugeois: I’d like to support the motion. It seems that whether the members believe that they are supporting this or not, the function is to create poverty, and perpetual poverty. We actually know that the homeless population, a high percentage—as much as 50%—are people who have been turned down by WSIB and are living on ODSP. The things in section 3 are a guarantee of poverty. I ask, why would a government want to create poverty for people who are no longer able to work?

The Chair (Hon. Ernie Hardeman): Further comments? If not, are you ready to vote?

Mr. John Fraser: I just want to be clear that this is to prescribe in legislation that this can't be done. So all I'm asking for my colleagues on the other side is to say, "We agree; this shouldn't be done."

The Chair (Hon. Ernie Hardeman): Are we ready to vote?

Mr. John Fraser: Recorded vote.

Ayes

Fraser, Vaugeois, West.

Nays

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): I declare the vote lost.

We will now go to amendment number 12, Liberal amendment: MPP Fraser.

Mr. John Fraser: I move that section 3 of schedule 5 to the bill be amended by striking out "65 years" in subsection 44.1(10) of the Workplace Safety and Insurance Act, 1997 and substituting "70 years".

1310

Mr. Dave Smith: You said, "schedule 5".

Mr. John Fraser: Sorry, did I say, "schedule 5"?

The Chair (Hon. Ernie Hardeman): Read the first line again.

Mr. John Fraser: I move that section 3 of schedule 9 to the bill be amended by striking out "65 years"—

The Chair (Hon. Ernie Hardeman): Thank you. Debate?

Mr. John Fraser: I'm gaining some hope here, because I think the quotient of 65-year-old-pluses in the room has increased somewhat—by 50% since we last left. Welcome.

Again, we need to reflect—I'll say this again, because I think it's important to restate—the reality of what workers are doing now. Some 400,000 people over the age of 65 are working. Some of them have to work.

I told the story this morning about Aloysius, the man who, about 10 years ago, was 75, still slugging produce and bananas and tomatoes at Loblaws down at the South Keys. When you're doing a job that's physical and you're at 65 years, 67 years, 68 years, your chances of injury are probably greater. And people are choosing to work, some of them because they want to work, and some of them because they have to work. They have to work to pay the bills. You know we have an affordability crisis.

I would just ask the members across, again, to consider this. It's the first opportunity this afternoon for redemption and to see the light, so I encourage all of my colleagues to support this amendment.

The Chair (Hon. Ernie Hardeman): MPP Vaugeois.

MPP Lise Vaugeois: I would like to note that it's not just trades workers or workers doing physical labour that receive life-altering injuries. White-collar workers do. I'm

thinking in particular of a colleague in Thunder Bay who was jumped on the stairs at her workplace, and it broke her back. There are many ways of receiving injuries, so we need to remember that it affects all kinds of workers.

The Chair (Hon. Ernie Hardeman): MPP West.

MPP Jamie West: I want to thank my colleague for bringing this forward.

I think it's fitting that this is part of a red tape reduction bill because, basically, I believe the intent—I had a conversation with the Minister of Labour. I know it's not his bill, specifically, but WSIB is under his purview. We had a conversation earlier about this, what's coming soon in a bill, and one of the things was this opportunity to prove that you intended to work.

Some of us were out there, "Oh, it would be easy for us to prove. We have a pension that matured at a certain date, or we would have savings towards our kids so they can go to college or university, or our kids are in trade school. We want to help with their tools." Things like that. But a lot of people aren't. They're hand to mouth. They don't really have that opportunity to demonstrate what they had planned.

Basically, this amendment would reduce the red tape of going through the loopholes and check boxes to ensure that somebody had intended to work an extra five years.

I think that if the government, at the drop of a hat, can regularly release announcements that they are giving billions back to businesses, it's a fair indication that the money is there for people—especially in their senior years—to have the opportunity to continue to have income and also reduce red tape. I can't imagine what it would cost to review all of these and to appeal and to go through the appeals and to have a bunch of people sit around to discuss them when you could just up the age limit. It's a common-sense solution and I think it makes sense. It's intending, I believe, to do what the minister had intended to do, without the extra burden and red tape.

The Chair (Hon. Ernie Hardeman): Further discussion? Ready to vote?

Mr. John Fraser: Recorded vote.

Ayes

Fraser, Vaugeois, West.

Nays

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): I declare the motion lost.

We'll now go to amendment number 13. MPP Fraser.

Mr. John Fraser: I move that section 3 of schedule 9 to the bill be amended by striking out clause 44.1(11)(a) of the Workplace Safety and Insurance Act, 1997 and substituting the following:

"(a) prescribing frequencies for the purposes of subsection (2), which cannot allow for reviews at a more frequent rate than once every 72 months;"

The Chair (Hon. Ernie Hardeman): Debate?

Mr. John Fraser: I think we've debated this through this morning, about how punitive removing that lock-in is. It's not going to be good for workers. It's not going to be good for the workers who have to administer this. It's 2.4% of the injured workers population. There's going to be a cottage industry and people who will be financially rewarded for causing workers grief.

The last piece is, over 30 years of all of our parties asking for reviews of WSIB, not one expert that we've asked to do this has said you need to do this. So I really want to know why we need to do this, and no one is saying anything. It's not about, actually, me knowing. As my colleague from—Sudbury; yes, I was trying to remember where you're from—said, it's not about us knowing. We'd like to know. There are people watching and there are people who are interested in this, and they do want to hear why.

I don't want put too fine a point on it, and I'm trying to make sure—I have sat over there. I am sympathetic. I understand that. But it's not about us. It's not about us. What are we saying to the people who are tuning in here—because they are tuning in—when you don't respond, when there's no compelling reason to do the thing that you're doing, when there's no reason? It makes it feel very much like everything is one-sided, and the workers—although there's something that's really good in this bill, injured workers are going, like, “It doesn't feel right. Yes, there's this good thing, but these other things, what are they all about? They're making it harder for us. They're penalizing us. They're making us come back.”

And nobody asked them to do it that gave us advice. Now, obviously, somebody asked the government to do this. I'm not sure if somebody can say whether this came directly from the ministry, or was it a recommendation? Who lobbied? Who believes it's a good thing to do? Even if you don't necessarily believe it's a good thing to do yourself, just somebody say, “This is where it's coming from.” If it's coming straight from the Premier's office, that's great, that's fine. You'll have to own it. But nobody is saying anything.

We've been talking about it in the sense that we want to hear—well, it's actually not us. We're asking the questions so the people who are tuning in, the people who might read Hansard or the people who might be interested in what happens after this—they're going to say, “Well, I didn't hear anything.” It's not fair.

The Chair (Hon. Ernie Hardeman): MPP Vaugeois.

MPP Lise Vaugeois: Without repeating everything that MPP Fraser has said, which I agree with, I want to note that you mentioned the cottage industry that's going to spring up. I think we have loan sharks, and I think we should call the new industry “WSIB sharks.”

1320

The Chair (Hon. Ernie Hardeman): Further discussion? Ready for the question? Recorded vote?

Mr. John Fraser: You bet. Please.

Ayes

Fraser, Vaugeois, West.

Nays

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): I declare it lost. Shall schedule 9, section 3, carry? Debate?

MPP Jamie West: I believe there's a notice.

The Chair (Hon. Ernie Hardeman): We don't call the notice.

MPP Jamie West: Okay, sorry. I thought it was the amendments.

The Ontario NDP is recommending we vote against section 3 of schedule 9 to the bill. In debate today, we heard many arguments from New Democrats and from the Liberal Party here talking about why we think these changes are necessary and, in fact, harmful to workers. The response from the government has been, and I quote—end quote.

In light of that, you can only go based on what's been in the debate and the conversation in the debate. I mean, probably an hour of today has been talking about why these changes are unnecessary and harmful to workers, and we haven't heard anything back, Chair, about why we should be supporting it, the logic of what's happening here. We heard from the deputations that none of these things are going to be harmful to workers and won't be helping workers.

A government that, when they were elected in 2018, talked about being for the little guy—there's no one littler or more disadvantaged than an injured worker, especially workers who have been injured for six years or more, living in poverty, as my colleague said, and ending up homeless. We really should be supporting workers—not just the photo op ones, not just the hard hats, showing up and standing beside somebody because it looks cool for voters; I'm talking about vulnerable workers.

I've worked in construction. I've worked in mining. I've said it before; I'll say it again: If you don't support injured workers, you don't support workers.

The Chair (Hon. Ernie Hardeman): Further debate?

Mr. John Fraser: I agree with my colleague.

I'm trying to keep it light because it's a long day. There are people who want to hear it. To my colleague's point, most of those people's voices are hardest to hear. That's kind of what our job is: to listen to the voices that are hardest to hear. What they need to hear is all of our voices, so they can understand why what is happening is happening. They're owed that.

As the Chair said, I can't compel you to answer; I can only suggest. And I suggest on behalf of all of those people whose voices are hard to hear because there's just one of them in a big sea—they're hurting, and they want to know why you put something good in and then you create measures to create hardships that aren't asked for and

aren't necessary. I recommend voting against this section of the bill.

The Chair (Hon. Ernie Hardeman): Are we ready to vote? MPP Vaugeois.

MPP Lise Vaugeois: The WSIB has a brochure entitled, The Facts About Injured Worker Stigma, and it's relevant to the sections that we would like to have removed.

This is from the WSIB: "Myth: Injured workers are lazy. They just want to sit at home and get paid.

"Reality: Injured workers don't want to be off work. They want to recover from their workplace injury or illness and get back to work where they can earn their full wages and interact with friends and colleagues. Sometimes this takes a while. And for some workers, a return to full-time work isn't possible."

The WSIB itself acknowledges that stigma is a problem, that there is a tendency to look down on people who are injured and assume that they are faking it. I think in insurance terms it's called "malingering," and it's unfair. It's a prejudice, it's a bias and the things that the government have put in this bill, in section 9, reinforce that stigma and, again, create this permanent state of distress where you never know when the rug is going to be pulled out from under you. That's simply not fair.

The Chair (Hon. Ernie Hardeman): Further debate? Ready to vote?

MPP Jamie West: Recorded vote, please.

Ayes

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

Nays

Fraser, Vaugeois, West.

The Chair (Hon. Ernie Hardeman): Schedule 9, section 3, carries.

Schedule 9, section 4, amendment number 14: MPP Fraser.

Mr. John Fraser: I move that subsection 4(2) of schedule 9 to the bill be struck out and the following substituted:

"(2) Subsection 45(5) of the act is amended by striking out 'When the worker reaches 65 years of age' at the beginning and substituting 'When the worker reaches 70 years of age, or on such later date as the board determines under subsection 43(1.1) or (1.2)'. "

The Chair (Hon. Ernie Hardeman): MPP Fraser, debate?

Mr. John Fraser: I don't know what else I can say other than that I did have hope, since our numbers grew, that we might have some opportunity to defend those workers working longer in their lives, past age 65. One more time, you've got another chance. People are watching and they are listening.

The Chair (Hon. Ernie Hardeman): Further debate?

Mr. John Fraser: Recorded vote.

Ayes

Fraser, Vaugeois, West.

Nays

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): The amendment is lost.

Amendment number 15: MPP Fraser.

Mr. John Fraser: I move that subsection 4(3) of schedule 9 to the bill be amended by striking out "65" wherever it occurs in clause 45(6.1)(b) of the Workplace Safety and Insurance Act, 1997 and substituting in each case "70".

The Chair (Hon. Ernie Hardeman): Discussion?

Mr. John Fraser: I just think it's the reflection of the reality of what's happened in the workplace, folks. I think it's unfair to workers. People would like to know why you can't support this motion, and I'll just leave it at that, Chair.

The Chair (Hon. Ernie Hardeman): Further discussion?

MPP Jamie West: I think it's going to be a similar one, so I'll be brief, maybe to summarize a few of these. There have been many opportunities to address this age gap from 65 to 70. I believe the intent was to allow people to not have their benefits cut off if there were certain circumstances. This is another opportunity to reduce the red tape, the burden and the stress of people.

I talked about Ron Rousseau. Ron Rousseau has a tumour in his lung, and he is talking about going back to work with cancer so that he can pay his bills, because his benefits are going to be cut off on his birthday in June. This is an unnecessary burden to injured workers. There has been non-stop conversation by all parties, but in particular, on the advertising side around the Ring of Fire and the need for critical minerals and to ignore the fact that mine workers with lung tumours caused—Ron's illness is compensable; it was caused by his workplace. And to ignore people like Ron and to say, "I'm sorry, it's your birthday; we're going to cut you off now. It's too bad you weren't able to prove"—it doesn't make any sense. It doesn't match the intent, I believe, of this.

1330

I know my colleagues are good people. I know that they want to make life better for injured workers, but I think they're missing these opportunities. And I appreciate my colleague for, I don't know, seven or eight—several, anyways—opportunities to address this in different ways.

Mr. John Fraser: Oh, there's more.

MPP Jamie West: Thank you, Chair.

The Chair (Hon. Ernie Hardeman): Further discussion? If not, I'll call the question.

Mr. John Fraser: Recorded vote.

Ayes

Fraser, Vaugeois, West.

Nays

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): The amendment is lost.

Shall schedule 9, section 4, carry—debate?

MPP Jamie West: Again, the Ontario NDP is recommending that we vote against this. We're basically getting into the reruns here in terms of—to my left, my colleague has printed out all of the written deputations. There is no one who has written in saying that this is a good part of this bill. Many people writing in have said this is a bad part of the bill.

When we sat here, even though the people who came to speak with us had about a six-hour window where—at 9 a.m. they had committee; committee would likely have ended by 10, and then the Clerks had to send everything out. Let's say that by 10 o'clock, the Clerks were incredibly efficient, sent everything out and everyone had to reply by 4 p.m. in order to come in to speak with us the following week. Then the date had to be adjusted from Tuesday to Wednesday because we have caucus meetings on Tuesday, so everyone who came here had to shift their schedules over to speak to us on Wednesday. We had a full day of hearings. We filled the whole day, and I'm sure we could have had more people if there was more time.

No one spoke in favour of this section—not one person. The only people who didn't speak to it were people who were talking about what it meant to be a medical student or what it meant to be in the entertainment industry. But every single person who had an opinion on this said this is a bad idea.

USW Local 6500 wanted to speak to this and were reaching out to me on a regular basis. When we had put in our proposals of who should speak, we had put them on our recommended list, and the government has that ability too. To not have one person speak in favour of this section, which the government side won't speak about but seems hell-bent on—apologies; seems strongly in favour of—supporting, makes no sense to me at all.

I would argue—and as my colleague Catherine Fife would say, I'd win. I would say that the goal of this bill isn't the tinkering on the edges; the goal of this bill is to make it so that this small percentage, 2%, less than—

MPP Lise Vaugeois: It's 2.5%.

MPP Jamie West: That 2.5% of workers with long-term injuries—the goal of this bill is to strip away any kind of protections they have for the limited amount of income that comes in. This is really—we've cut through the fat and we've cut through the meat and the muscle; we're into the bone. This is punitive. This is punishing injured workers, and the most vulnerable, most damaged injured workers. It's a horrible thing. I think that ending these lock-in protections—if you have a permanent injury for more than six years and to have the government and Premier Ford come forward and say, “You know what? I think those injured workers with those long-term injuries, they've got

it too good. Is there some way that I could really just push them down a little more?” It's embarrassing.

I'm proud to recommend that we vote against this section, and I'll be proud to ask for a recorded vote to vote against this section.

The Chair (Hon. Ernie Hardeman): MPP Vaugeois.

MPP Lise Vaugeois: I just want to note that the WSIB has the money to compensate workers fairly but they don't. And picking on those workers who have had injuries and are known to have a permanent injury and they've been through six years of proving that, and suddenly, after six years, for the rest of their lives they're supposed to prove it again, doesn't make any sense—is cruel, is quite cruel. “Vicious and nasty” is what I would call it.

And I want to note that, businesses in 2025 had 61% of their 2024 premiums being returned, and yet we know that companies like Fiera Foods have had five workplace deaths, and they're still getting rebates. How is that even possible?

MPP Jamie West: What's the metric?

MPP Lise Vaugeois: So what is being measured here—exactly—when a company like Fiera Foods can get money back in spite of having had five workplace deaths, and yet a worker who has been known to have a permanent injury and have gone through six years of being assessed and re-assessed and re-assessed—in spite of this government saying, “No, you just have to say it once.” No, you have to say it again and again. And then to have this go on in perpetuity with the threat of clawing back more and clawing back entitlements that everyone else in the province is allowed to keep, is cruel and doesn't make sense, and we haven't heard any kind of justification for it today.

The Chair (Hon. Ernie Hardeman): No further debate?

I'll call the question. Shall schedule 9, section 4, carry?

MPP Jamie West: Recorded vote.

Ayes

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

Nays

Fraser, Vaugeois, West.

The Chair (Hon. Ernie Hardeman): Schedule 9, section 4, carries.

Schedule 9, section 5: Discussion? There are no amendments. If there's no discussion, I'll call the question. Schedule 9, section 5: All those in favour? Opposed? Carried.

Schedule 9, section 6: There are no amendments. Discussion?

MPP Jamie West: Again, we're recommending that we vote against section 6 of schedule 9.

I don't know how many times to say this: Schedule 9 is just bad legislation. We get things wrong, all of us from different parties at different times. I believe people generally have good intent, but the mistake that you make is not

listening to the people you represent across Ontario. I can't imagine in any of our ridings that injured workers are saying what a great idea this is. I can't imagine people who aren't injured looking at this and finding out the changes and what it means for injured workers would say, "Well, that's a common-sense good idea." It's just bad legislation, Speaker.

We've talked about it all day today. It's actually been a frustrating experience today to not hear debate from the other side and to carry debate on our own. I literally can't understand why this was in the bill in the first place, but I think there may have been a positive intent in the first place. There certainly isn't justification at this point, but there seems to be a real intent to ensure that it moves forward, so that's unfortunate for the workers who are going to be affected by this.

I hope that injured workers remind my colleagues everywhere they go about not really standing up for injured workers and workers in general, in this case.

The Chair (Hon. Ernie Hardeman): Further debate? If not, I'll call the question.

MPP Jamie West: Recorded vote.

The Chair (Hon. Ernie Hardeman): Shall schedule 9, section 6, carry?

Ayes

Coe, Kanapathi, Racinsky, Dave Smith, Triantafylou, Vickers.

Nays

Fraser, Vaugeois, West.

The Chair (Hon. Ernie Hardeman): The motion is carried.

1340

Schedule 9, section 7: There are no amendments. Debate?

If there's no debate, all those in favour? All those opposed? The motion is carried.

Schedule 9, section 8: We have Liberal amendment number 16: MPP Fraser.

Mr. John Fraser: I move that subsection 8(2) of schedule 9 to the bill be amended by striking out subsections (2) and (2.1) as found in subsection 107(5) of the Workplace Safety and Insurance Act, 1997 and substituting the following:

"Duration of compensation

"(2) An injured worker ceases to be eligible for compensation for future loss of earnings on the later of,

"(a) the day the worker reaches 70 years of age; or

"(b) if the board has determined a day in response to a request made by the worker under subsection (2.1), that day.

"Request for determination re employment past 70

"(2.1) On or after the day subsection 8(1) of schedule 9 to the Protecting Ontario's Workers and Economic Resilience Act, 2026 comes into force, a worker who is 65 years of age or older and entitled to payments under this section may, at any time before the day the worker reaches 70 years

of age, request that the board determine whether the worker is likely to be working in suitable and available employment or business past 70 years of age and, if so, the day on which the worker is likely to cease working in such employment or business."

The Chair (Hon. Ernie Hardeman): Discussion?

Mr. John Fraser: I think this is about the seventh amendment I've put forward to try and address this—that we put forward, because I know that I have the support of my colleagues to the right. We agree on this.

I think it's important that we hear why, if the government is going to support the amendment, or why they're not. I think that workers want to know. I don't think this is an unreasonable amendment. I don't think it's unfair. I don't think it's gritty, economic hardship for WSIB, the Workplace Safety and Insurance Board, or the government. But if there's some argument that folks who are tuned in can hear, I think they'd like to hear it.

The Chair (Hon. Ernie Hardeman): Further debate?

MPP Jamie West: This is another example of an opportunity to get this right, instead of putting the onus on the workers to fight for the increase, knowing that, as my colleague said earlier, 70% of the fights on appeal are won by WSIB. WSIB is the business of saying no to injured workers. That's just the reputation they have built through demonstrated behaviour. Having to fight for their rights and having to fight, again, at age 65 makes no sense.

A bill coming from the Minister of Red Tape Reduction to add more red tape to a system that's already overburdened, where the workers who administer WSIB and hear these claims and adjudicate on them have—I don't know if they're the highest in the province, but I know they're of the highest levels of mental health reports and burnout failure results. It makes no sense. It's an unnecessary administrative burden. It makes it more difficult for the workers. I know there are similar ones, and I'll probably hesitate to say—I won't say anything, as I may feel the opportunity.

But Injured Workers Day is coming in less than two weeks. I cannot imagine injured workers—the reaction they're going to have of this being pushed through, making their lives even more difficult, more burdensome, more painful, more mentally stressful with this bill. It makes no sense to me at all, and I am frustrated with the lack of debate from my colleagues from the Conservative Party.

The Chair (Hon. Ernie Hardeman): Further discussion? If not, I'll call the question.

Mr. John Fraser: Recorded vote.

Ayes

Fraser, Vaugeois, West.

Nays

Coe, Kanapathi, Racinsky, Dave Smith, Triantafylou, Vickers.

The Chair (Hon. Ernie Hardeman): The amendment is lost.

We'll now go to amendment number 17. MPP Fraser.

Mr. John Fraser: I move that subsection 8(2) of schedule 9 to the bill be amended by striking out subsection (2.4) as found in subsection 107(5) of the Workplace Safety and Insurance Act, 1997 and substituting the following:

“Extension of time

“(2.4) The board may permit a request under subsection (2.1) to be made after the day the worker reaches 70 years of age if, in the opinion of the board, it is just to do so.”

The Chair (Hon. Ernie Hardeman): Debate?

Mr. John Fraser: I think this is pretty self-explanatory. What it does is actually give the board the agency to do it. It doesn't tell them to do it. It gives them the ability. It doesn't award an injured worker an entitlement. What it says to the board is, what it says to the injured worker is, you have a right to make this request and get a response. And that's all it says. This is the lightest, easiest, simplest thing for the government to adopt. It's the fairest thing to do. It's literally saying, “I get my day in court. I get to make a reasonable request because I'm a worker over 65, 70.”

I just would encourage my colleagues to support it. I just can't see it creating any kind of financial burden because it does create for the board the opportunity to adjudicate and look at it and see whether it's fair and reasonable.

The Chair (Hon. Ernie Hardeman): Further debate? No further debate. I'll call the question.

Mr. John Fraser: Recorded vote.

Ayes

Fraser, Vaugeois, West.

Nays

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): I declare the motion lost.

Shall schedule 9, section 8, carry—debate?

MPP Jamie West: Again, Chair, I've said this several times, so I won't go very long. Schedule 9 of this bill is openly flawed. We all know it around the table. We know it on this side of the table for sure. The people of Ontario have told us it's flawed. Everyone who spoke to us said it was flawed. Everyone who wrote in said that it was flawed.

We cannot support schedule 9. I'm recommending we vote against schedule 9. We can remove the schedule and vote it down and have it come back as a separate bill, have it come back with proper consultation, and it would actually help workers and employers be more successful. The way it stands, it's just flawed and broken. I'm recommending we vote against this as well.

The Chair (Hon. Ernie Hardeman): Further discussion?

MPP Lise Vaugeois: I want to reiterate the importance of voting against this section, and we've explained that

many times. But I also want to note that we've not heard rationales from the government side about why section 9 and the flawed elements of it are there, and it really undermines people's trust in government. People do watch these committee hearings, and they are not hearing the rationales. They are not hearing a genuine debate and it's a fait accompli, really; we know that before the committee even sits down, which means that people's input is not considered relevant.

1350

That's not what we are here to do. We are here to represent people and bring their voices forward. We have had voices brought forward very, very clearly, very articulately, on why these sections under schedule 9 are so harmful, and yet, it's not a conversation. It's not a debate. It's a fait accompli and that's not acceptable, I don't think, for the people of the province of Ontario.

The Chair (Hon. Ernie Hardeman): Further debate? If not, I'll call the question.

MPP Jamie West: Recorded vote.

Ayes

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

Nays

Fraser, Vaugeois, West.

The Chair (Hon. Ernie Hardeman): The section carries. Schedule 9, section 9: We have amendment number 18. MPP Fraser.

Mr. John Fraser: I move that section 9 of schedule 9 to the bill be amended by striking out “65 years” in subsection 107.2(2) of the Workplace Safety and Insurance Act, 1997 and substituting “70 years”.

The Chair (Hon. Ernie Hardeman): Debate?

Mr. John Fraser: Thank you for the time. This is the eighth and final attempt to get you guys salvation and redemption. Look, it's just reflecting the reality of what's out there. It would be good to hear something.

Pardon my cheekiness, but those binders are pretty thick over there, so I'm not sure what's in them or why you have them. Respectfully—Chair, you can rule me out of order after I say this—I can't believe that none of you have nothing to say.

The Chair (Hon. Ernie Hardeman): Further comments?

MPP Jamie West: I just want to note to my colleague MPP Fraser that Groundhog Day was February 2. So 109 days later, I think that my colleagues across the table from us are looking forward to leaving. I'll ask MPP Vaugeois to pass me her binder, so I can read it again into the record. I'm kidding. I'm kidding, but that is a frustration of the people of Ontario, I think, watching this. We have some people watching this live. We have people watching online in real time as well.

There are people out there who are injured, who are experts in what has happened them and who have had to

fight for every little scrap that they got. I want to thank my colleague for finding many inventive ways to get this right, and I think that the amendments were a positive move in the right direction. I don't understand the lack of answers, and I don't understand why we are doing this. I don't have to agree with why we are doing it, but it is bizarre to just have it wait out.

It is tempting to read that binder, but I have to say that the reason I would want to is just to point out every written deputation that speaks to this. Not one of them—that binder is almost two inches thick—not one person spoke favourably to this section. It doesn't make any sense to have that—and many spoke against it, just to be clear. It wasn't that there was an absence of feedback. It doesn't make sense to have this much negative opinion without any response from the government in not just committee, but I'm talking about during debate, during press conferences. It would be interesting, in third reading of this bill, what happens on this. But I don't understand the lack of feedback and why a bill purporting to empower workers is going to harm injured workers.

The Chair (Hon. Ernie Hardeman): MPP Fraser.

Mr. John Fraser: In terms of all the motions that have been put forward with regard to, specifically, the age of retirement and extending that and the 72-month lockout provision changing: They're really important things. A whole bunch of people came here and told us about why these things were not the right thing to do. As my colleague said, we haven't heard anyone saying, "This is why we're doing it," not even an employer. And injured workers haven't heard that.

In particular, with a lot of these amendments, I want to thank the Injured Workers Community Legal Clinic for the work that they did to depute for us and then provide some recommendations for amending the bill.

I'm glad all of the amendments on the 72-month lockout and the age of retirement weren't out of order. I'm glad I got to read them into the record. One of my colleagues said they would likely be out of order; I didn't think so. I wanted to make sure they were all read into the record. I'm glad we had a chance to debate them too. I'll just leave it at that.

When we have a vote, I'd like to have a recorded vote.

The Chair (Hon. Ernie Hardeman): Further debate?

MPP Lise Vaugeois: I'd like to note that, in this case, since the decision has clearly been made before we got here, facts don't matter, deputations don't matter, submissions don't matter because nothing is going to alter the outcome that has been predetermined. That is exactly the opposite of what our roles are here as MPPs representing the people of Ontario. It's a very, very disappointing experience.

I'll say this is my first time doing a clause-by-clause hearing and I'm pretty appalled at how the decisions were made before we even got into the room. Clearly, they were made before the deputations came here.

People put their souls on the line, telling us that suicide was going to be better for their families than continuing to

live on their meagre earnings from the WSIB. It should be making a difference in how this bill is being handled, and apparently it doesn't. I find that extremely disappointing.

The Chair (Hon. Ernie Hardeman): Further discussion? If not, I call the question on amendment number 18.

MPP Jamie West: Recorded vote.

Ayes

Fraser, Vaugeois, West.

Nays

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): The motion is lost. Shall schedule 9, section 9, carry?

MPP Jamie West: Recorded vote.

Ayes

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

Nays

Fraser, Vaugeois, West.

The Chair (Hon. Ernie Hardeman): The section is carried.

We will now go to schedule 9, section 10. Debate?

MPP Jamie West: I move that section 11 of schedule 9 to the bill be struck out and the following substituted—

The Chair (Hon. Ernie Hardeman): There's no room for more amendments.

Shall schedule 9, section 10, carry? Debate? No further debate on the section?

Ready to call the question? All those in favour? All those opposed? Section is carried.

Mr. John Fraser: Chair, I just have a point of clarification for legislative counsel to hear. I just want to make sure I've got my sections right, because I don't have my readers on.

1400

There is an amendment in section 9 of this bill that classifies—it's 74.1(1). What section of schedule 9 is that? It's on the second-last page of the bill.

Ms. Kristi Cairns: It's the one about 74.1?

Mr. John Fraser: Yes, 74.1, right at the bottom of the page.

Ms. Kristi Cairns: That's section 7(1) of the bill.

Mr. John Fraser: Okay. Thank you.

The Chair (Hon. Ernie Hardeman): Is everybody happy where we are? I thought we should be.

Schedule 9, section 11: We have an amendment there, amendment 19 from the New Democrats. MPP West.

MPP Jamie West: This is what I thought I was doing before, Chair, so thank you.

I move that section 11 of schedule 9 to the bill be struck out and the following substituted:

“Commencement

“11(1) Except as otherwise provided in this section, this schedule comes into force on a day to be named by order of the Lieutenant Governor in Council.

“(2) Subsection 8(2) is deemed to have come into force on January 1, 2026.”

The Chair (Hon. Ernie Hardeman): Debate?

MPP Jamie West: This is more of a housekeeping issue, in the sense of fairness; a good conversation with the minister about how to make this—there’s an arbitrary cut-off date where it’s going to affect people who are able to apply for an extension past 65 years old.

Generally what happens with a bill, for anyone tuning in, is that it commences after third reading and final debate, and that’s sort of an arbitrary date. The House will probably rise sometime in June—probably somewhere in June. Instead of having this arbitrary date based on House scheduling and when it happens, I thought that it would be more fair to people that, as of January 1—so everybody whose birthday is this year would qualify for this.

It doesn’t change anything in the bill. None of our amendments passed, so it wouldn’t change any of the content of the bill. It’s specifically just for this section, allowing people who are going to turn 65 this year. The way things are happening right now, we’re going to miss about six months of the people who had their birthdays. Moving the commencement date of this schedule of the bill—just this one part of it—to January 1 would mean that everybody who had a birthday this year would have the opportunity to apply for that extension. It just feels more fair, less arbitrary to people. I think it’s a common-sense solution.

The Chair (Hon. Ernie Hardeman): Further debate? If not, I will call the question.

MPP Jamie West: Recorded vote, please.

Ayes

Fraser, Vaugeois, West.

Nays

Coe, Kanapathi, Racinsky, Dave Smith, Triantafilopoulos, Vickers.

The Chair (Hon. Ernie Hardeman): The amendment is lost.

Shall schedule 9, section 11, carry? Debate?

If not, all those in favour? All those opposed? The amendment carries.

Shall schedule 9 carry? All those in favour?

MPP Jamie West: Recorded vote, please.

The Chair (Hon. Ernie Hardeman): Recorded vote.

Mr. John Fraser: I actually have some comments.

The Chair (Hon. Ernie Hardeman): Oh. Debate?

Mr. John Fraser: Because of section 7.1, I won’t be voting against section 9.

That piece of the bill is with regard to WSIB for workers in retirement homes and group homes. It has been a long-standing oversight—actually, that’s not an oversight; it has been a long-standing unfairness to workers who are working and are, just simply by their employer, doing the same work as other people and not being covered. Many of them work more than one job—they work two jobs, they work three jobs. WSIB protects them for all their employment income.

I have been lucky enough to put forward a private member’s bill six times with regard to this. I debated it twice. I didn’t debate it this time around because I received assurances that it was in legislation. It was very close to when this legislation came out. I wish I had debated it again, to be honest, at this point because I do have concerns about this piece in the legislation being enacted promptly with respect to those provisions. It would be a great injustice if the government did not enact this section 7.1. It would be very unfair to those workers and it would say a lot about what the government’s priorities really are.

The Chair (Hon. Ernie Hardeman): Further debate?

MPP Jamie West: I know my colleague has brought this section of the bill forward several times in the past, in terms of amendments and things to move forward, so I just want to withdraw my request for a recorded vote. Just in reference to that, I think we have the gist of how people are voting anyway.

The Chair (Hon. Ernie Hardeman): We’re still voting on schedule 9. MPP Vaugeois.

MPP Lise Vaugeois: I just want to note that I appreciate that MPP Fraser has brought this forward many times, and I had the opportunity to debate and support this in the past. I do think it is a very important piece. There are also over one million people who are not covered at all by WSIB, including other workers who do similar work, in child care, for example—lots of heavy lifting in that job. This is a reminder that there are others who are not yet covered and support for the fact that at least another 29,000 people working in residential care, if I have got that right, will finally have some coverage.

The Chair (Hon. Ernie Hardeman): Any further discussion on schedule 9? If not, all those in favour? All those opposed? Schedule 9 carries.

Now, that concludes the schedules.

Shall the preamble carry? All those in favour? Opposed? The motion is carried.

Shall section 1 of the act carry? All those in favour? Opposed? Carried.

Shall section 2 of the act carry? All those in favour? All those opposed? Carried.

Shall section 3, the short title, carry? All those in favour? All those opposed? Carried.

Shall the title of bill carry? All those in favour? All those opposed? Carried.

Shall Bill 105, as amended, carry? All those in favour? All those opposed? Carried.

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

those in favour? All those opposed? The motion carries. I shall report the bill.

That concludes clause-by-clause consideration of Bill 105. I thank all of you for your participation.

The committee now stands adjourned until 9 a.m. on Tuesday, May 26, for the selection of the 2026-27 estimates of the ministries and offices for consideration.

The committee adjourned at 1411.

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