



**Legislative Assembly
of Ontario**

First Session, 37th Parliament

**Assemblée législative
de l'Ontario**

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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Tuesday 14 November 2000

Mardi 14 novembre 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

Clerk
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Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Tuesday 14 November 2000

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

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*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

CORRECTIONAL SERVICES

Mr Dave Levac (Brant): I want to report to the House today a problem that continues to plague this government: the improper management of our jails.

A serious situation was brought to the attention of the Minister of Correctional Services regarding intermittent sentencing and overcrowding in our jails across the province. It was very clear that convicted drunk drivers, drug traffickers and those involved in fraud who were given intermittent sentences were not doing their time behind bars due to overcrowding, as Dalton McGuinty told you less than a few weeks ago. Those convicted were literally given get-out-of-jail-free cards and were being told to serve the remainder of their sentences at home. This does not sound like getting tough on crime to me.

How does the minister solve the problem? Well, from his cell phone in Florida, the minister cancelled the temporary absence program entirely. That means more overcrowding in an already dangerous situation. To date, the government's cutbacks have resulted in the closure of 400 beds at correctional facilities across Ontario. Your solution also means that organizations such as the Salvation Army, the John Howard Society and others can no longer provide valuable rehabilitation and community services in a controlled, supervised setting.

Why is it that it has to be all or nothing? It seems to me that the prison system in Ontario isn't the problem. As I've said all along, the correctional officers, the framework and foundation of our system are excellent. It's the Minister of Correctional Services who just isn't up to the job.

REMEMBRANCE DAY

Mr Wayne Wettlaufer (Kitchener Centre): On Saturday, I, along with all of my colleagues in this House, joined hundreds of others at our local cenotaphs. We stood with our heads bowed in silence to pay tribute to the brave men and women of previous generations who picked up arms, went to war and fought to preserve their democratic rights.

Attending annual Remembrance Day services is a humbling experience for me. It is an emphatic reminder of the life and blood sacrifices made by millions of Canadians in the bloodiest wars in history. How small our sacrifices seem in comparison.

Today I stand with you in the Legislature, one of the truly great centrepieces of democracy. Every minute we spend in the Ontario Legislature, every word we speak in this democratic place, is a direct tribute to and the legacy of the men and women who fought to give us this priceless gift: the gift of free speech and the right to vote in democratic elections.

How frightening were those dark days of war for the men and women at the front and their families back home. The fighting men and women had to face the reality that at any second a bullet, artillery shell or bomb blast could end their lives or shatter their bodies, as it had for so many of their friends and comrades. Their families back home lived each day in the fear that they would receive a telegram informing them that a son or daughter, brother or sister had been killed, maimed or was missing in action.

Thanks to their sacrifices, this nation is a truly great nation. Canada is a beacon of light to the free world on what a true democracy can accomplish. Mr Speaker, I thank you for the fine effort you put forward in an attempt to ensure the smooth functioning of this democratic centre. I salute our opposition members, without whom a true democracy could never exist. I pay tribute to the men and women of our caucus who work so hard to provide leadership on many issues. But mostly I stand to pay tribute to the men and women who fought to ensure that their legacy to us and to generations following was the precious gift of democracy.

OPP FACILITY

Mr Ernie Parsons (Prince Edward-Hastings): The Ontario Provincial Police and several other ministries are looking to centralize their dispatch services in eastern Ontario. Coincidentally in my riding, Quinte West, there is an empty, virtually brand new Ontario Provincial Police building. Both the OPP and Bell Mobility have recommended that it is the ideal site for this dispatch service, so I was surprised to see an ad by the Ontario Realty Corp requesting proposals for a facility for a dispatch centre in Perth. The only differences I can find between the location in Belleville and the location in Perth is that Perth doesn't even have a building at this

stage and Perth is represented by a Conservative cabinet minister.

This is not Progressive Conservative money that they're spending to do these ads and to construct a new building. This is hard-working taxpayers' money that is being abused. If the Quinte detachment is indeed the best location, why are they looking at Perth? This stinks like pork-barrelling.

I would like this government to come clean and guarantee that the location they select will be the best location, not the best political location but the best location. I know that you will never buy something as cheaply as that which you already own, and this government owns a brand new, empty building. The Solicitor General and the Chair of Management Board need to assure this House and the public of all of Ontario that their money will be spent wisely and that they will select the best building, not the best political solution.

LONDON POLICE SERVICE

Mr Frank Mazzilli (London-Fanshawe): Police officers risk their lives each and every day when they go to work. They are dedicated to the safety and protection of citizens in Ontario. The reason I rise today is that on Thursday, November 9, 2000, I had the opportunity to recognize some of the long-standing members of the London Police Service. I just want to go through some of the names.

With 30 years of service: Ken Abell, Brian Collins, Kenneth Dixon, Herbert Frew, Frederick Goebel, Richard Hopkins, Al Keutsch, Dennis Koehler, Robin Lawrence, David Lucio, Gerald Marshall, William Mate, Tony Morton, Bruce Nelson, Richard Niles, Wayne Parry, Earl Steele, Robert Tucker, Richard Wilkinson, Brian Young and Leonard Zima;

With 20 years of service: Brian Allen, Brent Anderson, Scott Hessel, Michael Hurni, Randal Bornais, Peter Bradshaw, Gary Brown, Robert Cann, Dennis Carter, John Carter, Bradley Duncan, Ronald Earnshaw, Stuart Ewing, Grant Farquhar, Thomas Gaffney, Robert Gall, Rolf Gassewitz, Terence Griffin, Gary Hansen, Ricky Harriss, Ian Johnson, Paul Kerkhof, Bradley Laird, Dean Lees, Gregory Mayea, Michael McMahon, Bruce Miller, John Patrick, Brent Shea, Jay Simons, David Sparks, Daniel Tangredi, Randall Trineer, Ronald Wickens, Derek Wood and Peter Zinchuk.

Without their contributions our society would not be safe.

SCHOOL BUS SAFETY

Mr Pat Hoy (Chatham-Kent Essex): Later this week I will be debating my private member's bill, an act to protect Ontario children who ride school buses, for second reading. Exactly four years ago, this same bill received the unanimous support of the Ontario Legislature and was referred to committee, but the Mike Harris government refused to allow it to proceed.

Seventeen-year-old Ryan Marcuzzi was killed in a senseless school bus accident. Her mother, Colleen, said Harris did the political thing, not the right thing. It has been more than four years since I first introduced my bill—four years of lobbying. I have gained support from local, provincial and national organizations for it: the Police Association of Ontario, the Ontario School Bus Association, the Canada Safety Council, the School Bus Operators' Association of Ontario and the Federated Women's Institutes of Ontario, to name a few. It has been four years of waiting for the Harris government to introduce a meaningful deterrent to protect our children from reckless drivers who pass school buses illegally. I have delivered over 30,000 petitions to this government supporting my bill. I am proud that the Marcuzzi and Loxton families support Bill 24. They have lived a nightmare of losing a child because an irresponsible driver refused to obey the law.

School bus drivers and operators understand the need for vehicle liability. They know this government has its priorities all wrong. This government must tell parents and school bus drivers why it refuses to give teeth to the law that would apprehend lawbreakers who threaten the lives of our children.

1340

EDUCATION LABOUR DISPUTE

Mr David Christopherson (Hamilton West): I rise to speak out on behalf of the children in elementary school in the city of Hamilton, where 40,000 students are not in the classroom as a result of a lockout by the school board of 2,300 elementary teachers, federation of Ontario members. I want to say to this House and to this government that the strike is tearing apart our community, which I believe is exactly what you wanted.

The teachers are entitled to a fair collective agreement. The trustees have a responsibility to ensure that the classrooms and the programs being provided meet the needs of our children.

Here's what the chair of the committee that is doing the negotiating said, and it's addressed to Janet Ecker:

"I am sure you are aware of the lockout/strike situation facing our elementary children here in Hamilton-Wentworth. My frustration is because of the inability of the bargaining process to occur within the limits of a funding formula that is restrictive in allowing flexibility in the process—a funding formula that continues to ignore the professional aid that is needed outside the classroom....

"Madam Minister, a society that neglects or exploits some of its members cannot endure and must not exist."

The fact of the matter is that parents want their kids back in school, teachers want the kids back in school and the board does. The problem is that there isn't enough money because you cut funding to education. You caused this strike, and it's your responsibility to step in, resolve it and put our kids back in the classrooms.

MUNICIPAL ELECTIONS

Mr R. Gary Stewart (Peterborough): I rise today in this House to commend the many people who allowed their names to stand in yesterday's municipal elections across Ontario. We all know the importance of having quality candidates from which the electorate can choose. We also know the importance of getting the electorate out to vote to voice their approval or disapproval of the issues put forth by our politicians. It is important for the integrity of our democracy to ensure that the will of the people is expressed and accurately recorded.

Elections don't just happen. It takes many volunteers who help in a campaign or who help out on election day or with the advance polls. I would like to thank all those who give so readily of their time in pursuit of their beliefs. I would also like to congratulate all those who were successful in their bid for a municipal seat.

I personally look forward to working with those elected in the riding of Peterborough over the next three years.

EDUCATION LABOUR DISPUTE

Mrs Marie Bountrogianni (Hamilton Mountain): I'd like to join with my colleague from Hamilton West and voice my concern over the strike in which 40,000 children in Hamilton-Wentworth public schools are at home. We are entering the third week of this strike, and there will be consequences for these children's education.

Because of this government's cutbacks—\$1,000 per pupil—and because of the dysfunctional funding formula, the board's hands are tied. There is absolutely no flexibility for negotiating. Parents are frustrated, and they have taken this matter into their hands. They have approached our office with a petition which will take effect today. I'd like to read part of the petition. This comes from parents.

"Whereas our children are not receiving the quality education they deserve and for which we as parents and taxpayers have already paid; and

"Whereas the government has cut \$1,000 per pupil from the education budget;

"Therefore, be it resolved that the government of Ontario immediately become involved to reinstate appropriate funding to ensure that our children return to their classrooms to receive the quality education to which they are entitled and which has been paid for by the taxpayers of Ontario."

Lorrie McKibbin, a parent from Stoney Creek, started this petition. We're gathering thousands of signatures. Parents have taken this into their own hands because the government is washing its hands of the responsibility of putting our kids and our teachers back in the schools.

MUNICIPAL ELECTIONS

Mr John O'Toole (Durham): I'm sure I join with all members of the House in recognizing the people who

stood for public office over the last few days in the municipal elections. I personally want to thank them for their willingness to serve the public.

In my wonderful constituency of Durham, voters chose a strong slate of candidates to form our local and regional governments. John Mutton, whose family roots are well established in our area, was elected as the new mayor of the municipality of Clarington. Jane Rowe, Don MacArthur, Pat Pingle and Gord Robinson were elected to the Clarington council, while Jim Schell and Charlie Trim were chosen to represent Clarington at the region of Durham.

In the township of Scugog, mayor Doug Moffatt was re-elected, defeating Howard Hall, a former mayor at one time. Larry Corrigan, Marilyn Pearce, Jim McMillen, Dave Dietlein and Charlie Norris were elected to Scugog council, and Ken Carruthers was chosen to represent Scugog at the region of Durham.

Finally, in north Oshawa, Clare Aker was re-elected, and John Neal, who is new to the Oshawa council, was elected in wards 6 and 7, and Louise Parkes was elected in the combined wards 5 and 6.

I want to take this opportunity to offer special thanks to Mayor Diane Hamre, who served the municipality of Clarington so well for so many years, and I wish all representatives the very best in the years ahead. I look forward to working with them, as I'm sure all members do, to bring good government and accountability to the people who elect us.

GOVERNMENT APPOINTMENTS

Mrs Marie Bountrogianni (Hamilton Mountain): Mr Speaker, on a point of privilege: On Wednesday, November 8, my assistant received a piece of e-mail correspondence alerting us to the fact that on the government's Web site the Public Appointments Secretariat, pursuant to order in council 1769/2000, would be seeking members for the Post-secondary Education Quality Assessment Board. You will be aware that the legislation which creates this same Post-secondary Education Quality Assessment Board is still in debate. In fact, the government is holding public hearings on this legislation on November 20, 22 and 29. This legislation must also still pass third reading and receive royal assent.

Ministry officials informed our contacts that the quality assessment board was created by OIC in September. Does this not make the public hearings and in fact the entire function of third reading empty of meaning and merely for show on the government's part?

There are a number of past similar cases which bear reference here. Mr Broadbent made similar points and comments in a case raised by Mr Bud Wildman. The member for Algoma said: "There surely is a contempt of Parliament by proceeding with these ads before Parliament has agreed. Beyond that there is a contempt for the people of Canada if they say they are going to have hearings across the country and not pay the slightest attention to what the people of Canada have to say."

A similar case was brought before this House in 1997 with regard to pamphlets being distributed which assumed the passage of Bill 103. At that time the Speaker ruled that there was a case of contempt to be found. Although there are no pamphlets in this case, once again the government is acting in advance of the passage of certain legislation to set up committees and boards to carry out work which is not legal until the passage of certain pieces of legislation. In that case, Justice Brennan ruled, "I conclude that the orders in council were made without authority and are of no legal effect. The appointments are therefore void."

I ask the Speaker to investigate this matter and to inform this House and myself whether by circumventing the legislative process this government has shown contempt for democracy in Ontario.

The Speaker (Hon Gary Carr): I thank the member for her point of privilege, and I will reserve a ruling on that.

TIME ALLOCATION

The Speaker (Hon Gary Carr): On Wednesday, November 1, the House leader of the official opposition rose on a point of order to question the orderliness of the government's notice of motion number 70, a time allocation motion on Bill 69.

The member contended that the motion should be found to be out of order since it provides for Bill 69 to be recommended to the standing committee for clause-by-clause review, for the purpose, in his view, of "changing the substance of the bill ... and in effect introducing a new bill, a completely different bill, with no opportunity to debate."

The House leader for the third party also made a submission wherein he asserted that the government's intention in time-allocating Bill 69 and recommitting it for clause-by-clause was to amend the bill so extensively that it would emerge from committee as a substantially new proposition, one that had not had sufficient debate. If this were to be allowed, the member contended, then by using this procedural mechanism the government would, in effect, vicariously be able to substitute previous debate on the bill.

The official opposition House leader also expressed concern with the provision in the motion that states, "in the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported and received by the House."

Let me address these two concerns in reverse order by stating, firstly, that all members will know that time allocation motions are nothing new to this House. They have been used with some regularity for well over a decade. Such motions are clearly permitted in our standing orders. The provision in the motion in question that deems the bill to be passed by the committee if it is not reported by a specified date is not a novel provision.

Identical clauses have appeared in numerous previous time allocation motions as far back as 1989.

On the issue of the members' arguments about what Bill 69 might look like when it is returned from committee compared to its current form, I can only say that this is a very speculative concern and really has nothing to do with the orderliness of the motion, sitting on notice, of time allocation on the bill. The scenario raised by the two opposition House leaders is hypothetical and therefore beyond the competence of the Speaker to render judgment. Additionally, the orderliness of any amendments to the bill in committee will be determined at that time by the committee Chair.

I find the time allocation motion itself, government notice of motion number 70, to be in order.

1350

REPORTS BY COMMITTEES

STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Marcel Beaubien (Lambton-Kent-Middlesex): I beg leave to present a report from the standing committee on finance and economic affairs and move its adoption.

Clerk at the Table (Mr Todd Decker): Mr Beaubien from the standing committee on finance and economic affairs presents the committee's report as follows and moves its adoption:

Your committee begs to report the following bill, without amendment:

Bill 124, An Act to amend the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act in respect of penalties / *Projet de loi 124, Loi modifiant la Loi sur la protection de l'environnement, la Loi sur les ressources en eau de l'Ontario et la Loi sur les pesticides en ce qui concerne des peines ayant trait à l'environnement.*

The Speaker (Hon Gary Carr): Shall the report be received and adopted? Agreed.

Pursuant to the order of the House dated Tuesday, October 24, 2000, the bill is ordered for third reading.

MOTIONS

HOUSE SITTINGS

Hon Frank Klees (Minister without Portfolio): I move that pursuant to standing order 9(c)(i), the House shall meet from 6:45 pm to 9:30 pm on Tuesday, November 14, and Wednesday, November 15, 2000, for the purpose of considering government business.

The Speaker (Hon Gary Carr): Is it the pleasure of the House that the motion carry?

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

All those opposed will please say "nay."

In my opinion, the ayes have it. Carried.

VISITOR

The Speaker (Hon Gary Carr): Just before we begin question period, I'd like to take this opportunity to invite all members to welcome to our chamber a special visitor who is seated at the table, Mr Bruce Jamerson, who is the Clerk of the Virginia House of Delegates.

ORAL QUESTIONS

AMBULANCE SERVICES

Mrs Sandra Pupatello (Windsor West): My question is for the Minister of Health. On January 1, municipalities will be handed by you the responsibility to deliver ambulance services across Ontario. The cities and towns don't want it. Dalton McGuinty and Ontario Liberals have argued that this is the kind of service that ought to be managed by the province. In many cases the cities and towns feel they don't have the expertise or the dollars to run the system. Local paramedics in Kingston, for example, have said that you are downloading a system that's on the verge of collapse. In Ottawa-Carleton, the regional medical health officer said that the ambulance system in Ottawa is so slow, the response times so poor, that 100 lives per year are being lost. That's before the downloading.

Minister, response times count. What paramedics can do on the scene immediately is essential and is the key: the quicker the ambulance arrives, the more likely the people are to live. What guarantees are you providing that after the downloading our towns and cities will have everything they need to improve response times and everything they need to guarantee enough paramedics to do the job?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): As you know, the government did extend the transition time for municipalities to assume responsibility for ambulance services by one year, to January 1, 2001. There has been a committee very hard at work to take a look at all of the issues assumed with the transfer of the responsibilities. The work, I am pleased to say, will continue to take place over the course of the next year as the government continues to work with municipalities in order to ensure that there will be high-quality, responsive and seamless land ambulance services provided.

As the member knows, we will continue to set the licence operators. We will continue to set the standards and monitor the ambulance service and training standards.

Mrs Pupatello: Minister, there are towns and cities now that don't meet the provincial standards. You've hardly had a hand in fixing that.

Let me tell you what's happening in Brampton. The fire department in Brampton is now collecting data to present to its new city council. That data is very frightening. It is instances that show that the public is at risk. That's already happening today in Brampton. For example, during this transition period to your January 1 deadline, there are instances where ambulances are arriving without oxygen, without collars—the basic supplies. The firefighters also on the scene watch in utter amazement while they hear the excuse, "We're out of supplies." Ambulances are arriving with one paramedic. At certain non-peak times, there is one ambulance considered on service in Brampton, with 325,000 people. There are more than half-hour waits because ambulances have to come from Toronto when required.

My question is, are you doing the right thing? Are you certain you are doing the right thing by the people who live in Brampton and in the rest of Ontario when you download this ambulance service, considering the chaos that already exists?

Hon Mrs Witmer: The government and the municipalities have reached an agreement on a funding template for ambulance costs. At the request of the municipalities, in March 1999 our government assumed half, a 50-50 sharing, of the approved costs of ambulance services. We have indicated that we will honour our funding commitment and we are also providing 50% of the funding for incurred costs for provision of services in 1999. As the member may or may not know, we are providing 100% of the funding for dispatch services.

However, I would also add that the government and the members of the municipalities will continue to meet over the course of the next year in order to ensure that there are appropriate standards. They will review the service standards and they will ensure there's a smooth transition.

Mrs Pupatello: Let's talk about Mississauga. They are now collecting data to count how many times the ambulance arrives with one paramedic, the driver. How does one paramedic arrive, jump out from behind the wheel, carry the IV bottle, drag the stretcher, the collar, the oxygen, defibrillate, do CPR, all of those things, one driver who arrives on the scene? How do they do it? They can't.

That's why Mississauga is now collecting data that counts how many times the fire trucks are out of service because the firefighters have had to jump on the ambulance and go with the ambulance to the emergency ward. Guess what? They don't get a ride back.

This same thing is happening in Brampton. In Brampton, the deputy fire chief is currently negotiating with a cab company in order to get a better rate to go pick up the firefighter because it is cheaper than sending the fire truck to go get him from the emergency ward. This is the instability in the system that you've caused. For example,

Brampton has lost 46 key trained paramedics because there is no stability in the system.

I ask you again, are you doing the right thing by downloading ambulance services on to cities and towns when already in metropolises like Mississauga and Brampton we have this kind of chaos?

Hon Mrs Witmer: I think it is unfortunate that the member opposite seemed to think this was somewhat amusing. We don't find it amusing. Our government is working with the municipalities in order to ensure that there is a seamless transition, in order to ensure that we continue to provide a high-quality, responsive and seamless land ambulance service throughout Ontario.

1400

MANDATORY DRUG TESTING

Mr Michael Gravelle (Thunder Bay-Superior North): My question is to the Minister of Community and Social Services. Today you unveiled your mandatory drug testing plan, a plan that has certainly more to do with welfare-bashing than it does with any honest attempt to deal with the complex issue of addiction. You know there is not one jurisdiction that has implemented mandatory drug testing with any success, not here in Canada and not in the United States. The reasons for that are very simple: this is a grotesque abuse of power, a transparent, cynically motivated political move and a stunning violation of human rights. While your government continues to perpetrate the myth of rampant and prevalent drug abuse among people on social assistance, it's pretty clear the only thing running rampant are the vicious steps your government will take to bash those who fall on troubled times.

My question is this: in light of the fact that studies have shown that drug abuse is no more prevalent among welfare recipients than among other segments of the population, why are you once again attacking our most vulnerable citizens?

Hon John R. Baird (Minister of Community and Social Services, minister responsible for francophone affairs): Why don't we put aside the rhetoric the member opposite speaks of and look at the facts? This government wants to provide supports to people on social assistance to realize the dignity that comes with a job, the pride that comes with independence. We want to provide that help in whatever form it can be, whether it's literacy training, whether it's job skills, whether it's basic education, whether it's a workfare placement, whether it's other skills or upgrading, or whether it's job search courses.

We don't want to write anyone off. We have a certain number of people on social assistance who are addicted to drugs, who need help. What does this government want to do? We want to be able to provide them with that support. We want to provide them with treatment so they can realize the dignity that comes from moving from welfare to work.

Mr Gravelle: What is abundantly clear is this government doesn't want to deal with the real barriers to employment faced by people on welfare, challenges such as the need for child care, employment supports and the rising cost of living.

Let me be very clear. Mandatory drug testing has been a disaster wherever it has been contemplated. In Michigan, the courts have thrown out the Republican governor's plan to implement mandatory testing, not once but twice, the second time as recently as this September. The courts have concluded that mandatory drug testing of welfare recipients is a grossly unfair intrusion into the lives of people whose only crime is being poor. In fact, Ontario's human rights commissioner, Keith Norton, someone this government should be listening to, has already expressed his concerns very clearly about this plan. He told your government that our Human Rights Code does not allow people to be discriminated against because of an addiction.

Minister, this is more than a slippery slope you are on; it's a gross abuse of power. Why is your government willing to violate the human rights of any Ontarian?

Hon Mr Baird: Our government wants to be able to provide that hand up to someone who so obviously needs help. The member opposite's view is that we should do nothing. He thinks that's fair. Do absolutely nothing. If someone goes into a welfare office, high on drugs, just turn your back and hopefully it will go away. What do I say to the caseworker I spoke with last year who told me that someone on welfare has been coming into her office month after month, year after year, with track marks up and down her arm? Do we simply turn our back and leave that caseworker powerless to be able to provide help and simply watch that woman shoot her welfare cheque up her arm? That option is not an option for this government. We want to be there to provide the support and the treatment necessary to help that person realize the dignity that comes with a job.

Mr Gravelle: Minister, you are absolutely unbelievable. If this was truly about being interested in helping people, you'd be more interested in dealing with the fact that Ontario's addiction centres, which have not received a base funding increase in over six years, are not able to even deal with the demand for voluntary treatment. If you want to help, fund the addiction centres.

The reason this government is not addressing those realities is because this nasty announcement today is not about helping people. It's about welfare bashing and knocking those people on welfare one more time. This is an ugly move by our government of the day. Mandatory drug testing is likely illegal and is clearly a violation of our treasured Ontario Human Rights Code.

Minister, are you prepared to go to court, at great expense to taxpayers, to advance your latest attempt to bash the poor? Will you do something else to help the process? Can anything stop you from attacking the poorest and most vulnerable people in our province? What will you do to positively change this? Get rid of this plan. It's a disaster; it's a farce.

Hon Mr Baird: It's hard to take the Ontario Liberal Party seriously. They keep changing their minds and flip-flopping.

Hon Dan Newman (Minister of the Environment): What does Dalton say?

Hon Mr Baird: "What does Dalton say?" the member asks. Here is what Dalton McGuinty said. When asked about his opinion on drug testing, he said, "No, I'm not against the idea." Only two days later, Tim Murphy, president of the Ontario Liberal Party, came out and said, "In fact, McGuinty's policy is supportive of drug treatment." But that was then and this is now. The Liberal Party says one thing before the election, when they are seeking votes from the people of this province, only to flip-flop and make me dizzy after election day. Come clean and tell us your policy.

MEMBERS' COMPENSATION

Mr Howard Hampton (Kenora-Rainy River): My question is for the Acting Premier. The public is outraged at your stampede to the gravy trough for a 42% pay increase for MPPs.

Let me get this straight. Your policy for workers on the minimum wage is to freeze their income for six years. Your policy for the poorest citizens in Ontario, those who have to rely on social assistance, is to freeze their income for five years. Your policy for daycare workers, teachers, education workers, nurses and health care workers is 2% or less. But your policy for yourselves is, "Get to the trough and get 42%." How do you justify that?

Hon Chris Hodgson (Chair of the Management Board of Cabinet): I know the House leader, who has been dealing with their House leader, wants to answer this question.

Hon Norman W. Sterling (Minister of Intergovernmental Affairs, Government House Leader): There is a variety of options that various members of the Legislature have been considering with regard to MPPs' compensation. I might point out that during the 1990s, MPPs' salaries were reduced on two occasions, by 5% and 5%, and that over the last 20 years, while public service salaries have increased by about 96%, MPPs' salaries have increased by 46%. I think all members of the Legislature and the public would agree that some readjustment to MPPs' salaries has to be done, and we are considering options at this particular time.

Mr Hampton: I need to be really clear about the record. It is your government that is putting forward a 42% increase proposal. It is your legislation, not anyone else's. I want to remind this government that you are the people who in 1994 and 1995 went across the province and said you were going to reduce the salaries, you were going to reduce the incomes. Now that you are at the trough, the hypocrisy comes out. You want to increase—

The Speaker (Hon Gary Carr): Order. The member can't use that word. You will have to withdraw it.

Mr Hampton: I withdraw.

The doublespeak comes out. Now that you are at the trough, you want a 42% increase. You want to increase the pensions and increase the incomes for each and every one of you, but at the same time you want to freeze the minimum wage, frozen for six years; freeze the incomes for people who are the poorest in the province; limit those people who are working very hard in our hospitals and our schools to 2% or less. How do you justify your pig-at-the-trough attitude?

Hon Mr Sterling: The leader of the third party is referring to one of the options which would put us at a parallel with the federal MPs of this country. Some members of the Legislature felt that MPPs and MPs should be getting paid the same because they represent the same number of people, the same geographic areas etc.

The MP parity bill has not been introduced by this government to this Legislature. We will consider what options are available. I am continuing to talk to the opposition parties to try to get some degree of agreement before we proceed, and when that process is completed, that's the point at which we'll put forward a piece of legislation.

1410

Mr Hampton: This is the government that says that the people who have responsibility for our schools, trustees, should have their incomes limited to \$5,000 a year. This is the Premier who stumped across the province and said that he was going to lower the incomes. Now this is the Premier who wants to have an income higher than the Prime Minister. Such incredible doublespeak the citizens of Ontario have never seen.

I want to ask the minister again, what is the justification for freezing the minimum wage for six years? Freezing the incomes of the poorest for five years? Telling teachers, daycare workers, hospital workers and ambulance paramedics that they are limited to 2% or less, but you deserve a 42% increase. Tell us, what's the justification?

Hon Mr Sterling: I don't feel it's necessary to justify something which we have not put forward in legislation here in the House. We have put forward four or five options with regard to dealing with this issue, and I'm continuing to talk to them.

Now, I would remind the leader of the third party that after the last provincial election I was one of the three individuals who was involved in negotiation regarding party status. At that point in time—

Interjections.

The Speaker: Order. Member, take a seat, we'll wait. Most of the banter is being done with humour, but still it's far too noisy.

Hon Mr Sterling: I just wanted to remind the leader of the third party that because of the determination of the House at that particular time, his salary and the salaries of, I believe, seven of his caucus were substantially increased because they were asking for party status. So the people who have really got a raise during this Legislature have been the NDP.

LABOUR LEGISLATION

Mr David Christopherson (Hamilton West): My question is to the Minister of Labour. When you introduced Bill 139 last week, there were a lot of people in the province who wondered why you would introduce such a potentially disruptive labour bill during a time when the North American economy is booming. Further, when we look at Bill 69 and the trouble and disruption that's likely to cause, we ask ourselves, why would you do this?

Well, isn't it interesting, when we start to look, that your party, since 1995, has received \$12 million in political contribution from the corporate sector in Ontario, and further the eight general contractors that are the specific bonanza winners as a result of Bill 69, which you're shutting down debate on today, this afternoon, they contributed over \$107,000 to your party.

Minister, my question to you is this: how can you in all good conscience call political payback to your corporate friends workplace democracy, when all it really means is that workers are going to lose their jobs using their right to organize into a union? How can you do that, Minister?

Hon Chris Stockwell (Minister of Labour): Making that presumptive argument would then mean that while you were in power, the money you received from the unions in this province directly impacted the legislation you passed, such as Bill 40. Your suggestion at the time was, "Those positions the unions took by giving us money gave them no special preference." Well, I for one believe you, and I offer the same argument today. People can give money to the Conservative Party as well as the Liberals and the NDP, and many do give to all three parties. But there isn't any way, shape or form that any donation to this party can dictate or control legislation we introduce in this House.

The fact of the matter remains, I'll further put, that as far I know, the eight generals in Ontario that you spoke about before are certainly not overwhelmed or excited about Bill 69. They're not endorsing it. They said they don't endorse it. So I don't understand where you make the equation. They may have given us donations, but they're not happy about Bill 69.

Mr Christopherson: Minister, the reality is that your government has been bought and sold so many times that I'm surprised you haven't been auctioned off on eBay.

If you want to talk about contributions, let's talk contributions. You've received over \$12 million from the corporate sector since 1995. In that same length of time, the unions contributed \$450,000 to the NDP, which represents 3.8% of the total political contributions you received from the corporate sector. The fact of the matter is that \$12 million screams really loudly to this government. We want to know why you think it's OK to sell off a worker's rights just so your party can receive \$12 million in corporate contributions. How can you call that workplace democracy?

Hon Mr Stockwell: Mr Speaker, the tone is ridiculous, absolutely ridiculous. The charge is absolutely absurd. The best thing that ever happened to the workers in this province was electing the Conservative Party of Ontario.

Interjections.

The Speaker (Hon Gary Carr): Stop the clock. Minister of Labour.

Hon Mr Stockwell: The best thing that happened was electing us, simply because now the workers of Ontario are working, which is what they weren't doing under the NDP. Nobody on this side is going to apologize for any of our labour legislation. It's been good, it's been progressive and it's put people back to work. Unemployment was at double digits under you. Welfare rolls were expanding. I don't know where you get off trying to tell us that what we do isn't good for the workers when there is money in their pockets, bread on their tables and they have jobs to go to.

HOSPITAL FUNDING

Mrs Lyn McLeod (Thunder Bay-Atikokan): My question is for the Minister of Health. At the Ontario Hospital Association's annual meeting last week, you stated that Ontario hospitals now have stable funding. Nothing could be further from the facts. Your announcements of new funding are being made eight months into the budget year. Hospitals have had no idea of what their budgets are or will be, and they're still not sure.

The lack of stable funding has meant that many hospitals are hiring private agency nurses at almost twice the rate of a senior staff nurse. You can't hire full-time nurses if you don't know how much money you're going to have. Toronto's largest hospital was forced to lay off half of its allied professionals earlier this year because they didn't know what their budget was going to be. Now they have some additional money, but the people are gone and they're not available to be rehired.

Minister, I ask you today, if you are serious about stable funding, will you guarantee as a starting point that no hospital will receive less next year than it is receiving today?

Hon Elizabeth Witmer (Minister of Health and Long-Term Care): We're simply seeing more of the fearmongering that this member began prior to constituency week. We are now at the highest level of funding for hospitals that we have ever seen in the history of Ontario. We are at \$8.2 billion. If the member had seen the applause and the appreciation from the hospitals that was exhibited last week, and certainly in the communications that we've received, she would recognize they are grateful for the progress that has been made, as we have worked co-operatively with the Ontario Hospital Association and responded to their concerns and their issues. I am pleased to say that this year we are providing \$8.2 billion in funding, the highest ever.

1420

Mrs McLeod: But the problem, Minister, is that not only will you not guarantee stable funding for individual hospitals, you won't even guarantee that the total amount of money you're spending on hospitals isn't going to be cut next year. Hospitals do not know what funding they're going to get and they don't know why some hospitals are getting funding and some are not getting funding.

I remind you that last spring you took over the Hamilton Health Sciences Centre. You said they were irresponsible because they were running a \$42-million deficit. You fixed that problem. You fixed it by funding the entire \$42 million. Last month, an angry St Joseph's Hospital in the Hamilton area met with their local member, your parliamentary assistant, to ask why their deficit hadn't been addressed. Mr Clark said that it was just an administrative oversight, a mix-up. He assured them that their deficit problem would be fixed in the next round of announcements. It was, and we're glad of that. But why not fix the deficits at Soldiers' Memorial in Orillia or Sudbury General or Kingston General? Do they have to get more political in order to get more money?

You have not brought in the new hospital funding formula that you promised last spring. In the absence of that funding formula, will you tell us, how are you deciding which hospitals are winners and which hospitals are still losers?

Hon Mrs Witmer: This member is really quite irresponsible in some of the comments that are being made. I would just remind the member that there were three allocations of money that were set aside for hospitals. There was the first funding announcement of \$471 million, there was the second funding announcement related to growth funding, and there will be a third announcement, which will be made later this month, related to priority program funding.

Funding is provided to hospitals based on the operational plans that they submit to the ministry, and also in response to the actual services that are being provided.

Also, if you want to talk about the new funding formula for hospitals, that funding formula is at the point where we have been asked by the Ontario Hospital Association if they could have one more opportunity to review it. So we said, "Yes, if that's what you request, one more opportunity to review it with your members, we would support that," as opposed to imposing it without that one more round.

EDUCATION LABOUR DISPUTE

Mr Brad Clark (Stoney Creek): My question is for the Minister of Education. As you're aware, the Hamilton-Wentworth District School Board is embroiled in a labour dispute with the elementary school teachers. The strike/lockout is now 12 days old, with neither side moving toward negotiations. Both sides are stuck in their own positions. I have fielded hundreds of phone calls from parents in the last 24 hours who are angry and want their

kids back in school. They want back-to-work legislation and I want back-to-work legislation. Will you introduce back-to-work legislation?

Hon Janet Ecker (Minister of Education): I appreciate that the member for Stoney Creek has spent a great deal of time on the weekend talking to parents about this particular issue and is certainly concerned about what is happening. The parents, as I understand from the honourable member and the feedback we've received, are very clear: they want their children back in the classroom, and I certainly agree with that.

Actually, many boards and unions across this province have already made agreements, made settlements, without disruption to classrooms, and I think these two parties here would be well advised to follow that model. We've certainly encouraged them to do that. The school board has the monies available to do that deal. But if that is not possible, we would certainly be prepared to look at other options, including back-to-work legislation.

Mr Clark: There are 12 days lost. With the new curriculum, the parents in my community believe, and I agree, that they can't afford any more time off for their children. The opposition members are bellowing in this House that it's a question of money, yet the union leader says that the board has the money. The opposition opposed back-to-work legislation. They're willing to risk the children's year. I'm not. I ask you again, when will you introduce back-to-work legislation?

Hon Mrs Ecker: Just to confirm, the school board has had an increase in their resources of almost 6% this year, even though their actual student enrolment only went up less than 1%, so they have had a significant increase in the resources they have. This is indeed the view that we've seen in media reports, where all of the parties seem to be indicating that the bargaining process has broken down. If that is indeed the view that is confirmed, we are prepared to take a look at whether we should do back-to-work legislation. I'd like to assure the honourable member that we need to make that decision very, very quickly because parents want their kids in school and that's indeed where they should be.

The Speaker (Hon Gary Carr): New question.

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Education. I want to ask you about the strike in Hamilton as well. Despite the rhetoric and the bullying and the threatening from across the floor, the reality is that you are responsible for the situation. You wanted control of the education system in this province. You changed the funding formula. You decided how much money school boards were going to get. You are responsible for the strike in Hamilton right now.

The reality is this: under your watch and your government's watch, funding for students in the Hamilton board of education has dropped by an average of \$1,100 per student since 1995. That's your stats, your information. Instead of threatening back-to-work legislation, instead of threatening to continue to divide and split our community, instead of the tough, bullying talk, will you today commit to restoring the \$1,100 per student that you

stole out of the education system in Hamilton and end the strike today?

Hon Mrs Ecker: I appreciate the honourable member's asking for special funding treatment for his board, but this board has already received additional monies this year, more than their student enrolment—actually, significantly more than their student enrolment. It's interesting. They've been able to settle with their secondary teachers. There are many other school boards across this province that are settling, making arrangements with both their elementary and secondary teachers without disruption in the classrooms. It is not acceptable that this disruption is continuing for as long as it is. I hope the honourable member, should we decide to bring in back-to-work legislation, would be prepared to support it on behalf of the parents in this community.

Mr Agostino: What I'm prepared to support is an attempt by your government to bring in the type of funding that's necessary to allow the school board to get those teachers back into the classroom.

Ray Mulholland, the acting chair of the salary committee who, frankly, knows more about education than your whole caucus combined, said, "My frustration is because of the inability of the bargaining process within the limits of the funding formula, which is restrictive. My disappointment is to you, Minister Ecker. I find it difficult to negotiate with one hand tied behind my back." That is a quote from trustee Ray Mulholland.

The reality is, as much as you and your parliamentary assistant and your friend from Stoney Creek are going to try to bully and intimidate the teachers and the parents and the board, you are responsible for this. You've got to acknowledge the fact that the money you've cut out of the educational system in Hamilton is exactly the reason why there's a strike and a lockout today. I ask you again, for the sake of the community, for the sake of the children, for the sake of education in the city of Hamilton, will you today commit to restoring the \$1,100 per student that your government has cut since 1995 from the Hamilton board of education?

Hon Mrs Ecker: One, as I said, there has been an increase in resources for this board.

Secondly, I really find the hypocrisy—excuse me; I shouldn't use that word, but the change in position from the caucus across the way. When I had teachers standing out in front of my constituency office wanting to go back into the classroom, do you know who was standing there saying, "No, no. Don't go back to the students"? A Liberal member of this caucus saying no. When we had teachers out there walking the line, when we had teachers out there depriving students of their services in the classroom, who was walking the line with them? Dalton McGuinty. So I have some difficulty with now, because it's in his home community and all of a sudden he's getting phone calls from parents—I gather the member from Stoney Creek spends more time answering those phone calls—now all of a sudden he's saying, "Oh, please fix it."

We are listening to the parties involved. We will take the appropriate steps. We believe those children should be back in school. That's certainly what the parents want.

1430

PAROLE SYSTEM

Mr Garfield Dunlop (Simcoe North): My question today is for the Minister of Correctional Services. Minister, once again I was appalled to read in the newspaper about another offender being released on early parole from a federal institution. It seems unbelievable that the federal Liberal government would ignore the impact of crimes felt by victims. Patrick Kinlin embezzled millions of dollars from trusting clients, many of them senior citizens. Now he's being released on early parole by the federal Liberal government because his offence did not involve violence, if you can actually believe that. This man destroyed the lives of many clients. Minister, what do you say about a system that uses a yardstick of violence and not the impact on victims in the decision to grant day parole?

Hon Rob Sampson (Minister of Correctional Services): I thank the member for Simcoe North very much for the question. I too was appalled when I read in the paper that the federal Liberals had indeed—

Interjections.

The Speaker (Hon Gary Carr): Order. Minister.

Hon Mr Sampson: I hear the Liberals bellyaching across the floor and I say to them that I was appalled that this individual was released after having served approximately five months of a sentence. We had been saying for a number of months that the Liberals have this quota where they have been trying to flush inmates out of correctional institutions into community sentencing. This only goes to prove that indeed they do have that quota because they did let this individual out who had committed some very terrible crimes before serving even the slightest portion of his sentence. I find that appalling, I know you find that appalling and I think the majority of people of this province and this country find that appalling. I encourage the Liberals who are bellyaching across the floor to stand up and say it's appalling—

The Speaker: Order. The minister's time is up.

Mr Dunlop: Thank you very much for your response to that, Minister. It's reassuring to know that our government is on the side of law-abiding citizens, unlike our federal Liberal cousins across the way here.

Minister, the articles in the Toronto newspapers have also touched upon escapes, most recently that of a 73-year-old cop killer. In fact, it seems that every week we read about cop killers being released on early parole by these people. I am shocked that the federal Liberal government would let a violent offender who's a career criminal sentenced initially to death back in the 1970s work at a humane society outside of the minimum security institution, where he simply strolled away.

Our government recently expanded our prisoner work program. Can you assure the citizens of Ontario that a situation like this will not happen under you?

Hon Mr Sampson: I thank the member for Simcoe North for the question. Yes, we do believe in work programs. We believe in work programs because we think it's helpful for the inmate to learn what it is to have a hard day's job, to work for our community, to pay back society for the crimes they've committed. But of course our programs relate to those individuals who are serving the back part of their sentence, generally 60 to 90 days left in their sentence. We think it's important for those individuals to be out working. They are fully supervised while they're on their program, which is a policy we've put in place. We think work programs are helpful. The federal Liberals of course believe that they should be flushing the system of convicted criminals and emptying their jails, because that's their policy. They don't have the regard for victims of crime that we do.

I say again to my colleagues across the floor, the members from the Liberal bench, that you stated just last week that you believed jail should be jail. I say to you, stand up and say—

The Speaker: Order. The minister's time is up.

HAZARDOUS WASTE

Ms Marilyn Churley (Toronto-Danforth): To the Minister of the Environment, the people of Ontario want to know what's going on with organized crime in the hazardous waste business. Under your government, hazardous waste imports in Ontario have increased by 138%. Ontario has become a magnet for toxic waste. It's seen as a cheap dumping ground with weakened environmental laws and little enforcement capacity.

I remind you that it was your government that devastated the Ministry of the Environment by cutting staff in inspection and enforcement alone by 28%. The government's message has been, "Ontario is open for toxins," and it looks like some pretty shady operations are taking advantage of that.

Minister, tell us how much toxic waste is being dumped illegally by the Mob in Ontario?

Hon Dan Newman (Minister of the Environment): I want to say to the member opposite that this government is indeed committed to maintaining and enhancing environmental protection in our province. That's why the treatment of hazardous waste is an important issue that we take very seriously. That's why in September 1999 my ministry took immediate steps to strengthen our hazardous waste regulation and requirements. On September 17, 1999, my ministry announced a six-point action plan to strengthen our hazardous waste regulation and requirements for hazardous waste facilities in our province. The action plan included revising the hazardous waste manifesting requirements and regulation to be the toughest in our province's history. That's why last week, on November 7, we announced the last stage of our six-point action plan.

The changes deliver on our government's promise to strengthen and modernize the regulation to make it comparable to and compatible with neighbouring US jurisdictions. The list of chemicals included in the toxicity characteristic leaching procedure schedule put Ontario—

The Speaker (Hon Gary Carr): Order. I'm afraid the minister's time is up. Supplementary.

Ms Churley: This CISO report said very specifically that things have gotten worse under your government, and your six-point plan doesn't even come close to meeting the requirements of the US plan. You have been told that.

Under the NDP government, the MOE, the MTO, the OPP and Metro Toronto police began a major investigation. Measures were being developed. Then you came into power and your government cut the Ministry of the Environment staff by 28%, the very people who had the expertise to deal with this.

Will you now admit that your government was wrong to have slashed the Ministry of the Environment's budget and gutted its enforcement capacity, and will you now commit to hiring back at least 500 new environmental enforcement officers to fight problems like the Mob involved in bringing hazardous waste into our province?

Hon Mr Newman: The changes we made to our hazardous waste regulation include replacing the outdated leaching test that determines whether or not waste is hazardous. Our new toxicity characteristic leaching procedure test is more accurate when testing for organic contaminants.

We've also updated the number of contaminants on our list of hazardous materials in our province. We've added 88 chemicals to the list of 31, putting Ontario ahead of the 40 chemicals found in the US regulations. We've also added a derived-from rule similar to that of the United States EPA. Now hazardous waste will always be considered hazardous no matter has happened.

Interjections.

The Speaker: Will the minister take his seat. Would the member for Brampton Centre come to order.

Interjections.

The Speaker: Last warning to the member for Brampton Centre, and Toronto as well.

If you want to carry on your conversations, do it outside. We can't hear in here. Minister of the Environment.

Hon Mr Newman: Criminal investigations are the mandate of police agencies. We work very closely with the proper authorities to provide information on the environment to ensure that our resources get the protection they deserve. That's why in 1997 the Ministry of the Environment formed an intelligence unit within our investigations and enforcement branch. When appropriate, our branch will co-operate with Criminal Intelligence Service Ontario and other enforcement agencies to assist in investigations where the environment may have been compromised.

1440

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Natural Resources. I want to return to an answer you gave the House about the native burial ground at Ipperwash Provincial Park. It is the heart of the matter at Ipperwash, and there is considerable evidence of a native burial ground.

You said, "We also have an archaeological survey of Ipperwash Provincial Park in 1972. That report indicated that there were no finds made and recommended that no further archaeological work of any kind be carried out there."

What you didn't tell us was that attached to that study, we've learned under freedom of information, was a study by your own staff that said this report cannot be used to say with authority that there are no burial grounds within Ipperwash Provincial Park. The methodology as described in the report would not uncover possible sites.

My question to you is, why did you deliberately say to the people of Ontario that you had a study saying there was no burial ground when you had attached to that a note from your own staff saying you couldn't reach that conclusion with that study?

Hon John Snobelen (Minister of Natural Resources): I thank the member for the question. The question he asked I believe over a year ago now was specific. If I remember correctly, he was alluding to reports that had taken place 20 or 30 years ago in the province. When he asked the question, I answered it accurately, and the answer remains the same.

Mr Phillips: Exactly. You said to the people of Ontario that you had a study indicating no burial ground. You had, at the time you made that statement, attached to that study a note from your own staff saying that you can't use this study to reach that conclusion.

We know that in 1937 an Ontario provincial engineer found a burial ground there and reported it. We know that you required that the crown drop 23 charges of trespass because they found that you had evidence of a burial ground within your records.

I go back to my basic question. You told the House that you had a study indicating no burial ground when you had attached to that study a memo from your own staff telling you, "Don't use this information because you can't reach that conclusion." I want to know today, why would you tell the House something that your own staff said was a conclusion you could not reach? Why would you deliberately say that to the people of Ontario when you knew it not to be true?

The Speaker (Hon Gary Carr): To the member, that is an accusation. He can't say that. He's going to have to rephrase that and withdraw that.

Mr Phillips: Why would you deliberately say to the people of Ontario something that the briefing note said was not the fact?

Hon Mr Snobelen: I would take exception to the way the member opposite has positioned this. In fact, I stand by what I reported to the House on that day. It was an accurate report. If there was any trickery done in this House on this issue, it was the representation by the member opposite on the day prior to that answer, I believe, when he represented that 1937 report as if it were a report done over the last short period of time. In fact, the member opposite refers to reports that are 60, 40 and 30 years old. I think they have been represented properly in the House.

ELDER ABUSE

Mr R. Gary Stewart (Peterborough): My question is to the Minister of Citizenship, Culture and Recreation. Yesterday I read a newspaper report about another telemarketing fraud targeted specifically at seniors. As we all know, each year many seniors are victims of scams and frauds and lose literally hundreds and thousands of dollars. Minister, I know you've been working on a provincial strategy to combat elder abuse. Can you update the House on that particular strategy?

Hon Helen Johns (Minister of Citizenship, Culture and Recreation, minister responsible for seniors and women): I'd like to thank the member from Peterborough for the question and I'd like to say that I know everyone in the House is concerned about telemarketing fraud and financial fraud that happens, especially with the seniors in Ontario.

Right now we're working on the elder abuse strategy, as was referenced a few seconds ago. Let me say that we're looking at three areas within the elder abuse strategy which we think are important as a result of round tables we've had, not only at Queen's Park but all across the province. We're looking at ways that we can educate the public so everyone is aware of all the different types of elder abuse, but especially about financial elder abuse. We're looking at coordinating communities' resources so that we have people in communities who can help seniors recognize when they are being taken advantage of. And the last thing we're doing is looking to train front-line staff. We believe if we work on all those fronts, we'll be able to reduce elder abuse in Ontario.

Mr Stewart: I'm pleased to hear that. I know over the last number of years I've had a number of calls from constituents in Peterborough over this particular situation, and I am becoming more and more concerned all the time as our population continues to age.

I've heard a lot about the consultation process for the creation of this strategy. I was hoping you could update the House on how you have undertaken the consultation process, and also let us know when we can expect to see this provincial strategy.

Hon Mrs Johns: I'd like to tell you that I'm working with a co-chair and a number of people from all across the province to put these round tables together and to consult with people. We've chosen a wide range of people because we believe it's not just the traditional

methods that will help us to minimize and reduce elder abuse across the province. We're working with postal workers who go to the front doors of people's homes. We're working with grocery companies to ensure that people are eating properly. We have worked with more than 60 different groups. As I said, we started in Queen's Park. We've moved out to different organizations and agencies, and we've had working group sessions throughout the last four to six months. We certainly hope we can introduce an elementary or a preliminary report in early 2001 and hear the results and comments from people all across the province as we move forward to having the first elder abuse strategy in all of Canada.

PROPERTY TAXATION

Mr Mario Sergio (York West): My question is to the Minister of Municipal Affairs and Housing. A small business recently moved from the south side of Steeles Avenue West in my riding of York West to the north side of Steeles Avenue West into the riding of Vaughan-King-Aurora in the city of Vaughan. This small business moved from a 46,000-square-foot location to a 64,000-square-foot location at a saving of over \$46,000 a year in assessment. This, Minister, is because of inequities that still exist in our taxation system. Can you explain to small business owners in the city of Toronto why they have to pay double property taxes on the same property across the street? I'm asking what advice you have for the many thousands of small businesses in the city of Toronto that are caught in the same situation?

Hon Tony Clement (Minister of Municipal Affairs and Housing): That's a very germane question. It would have been more germane yesterday, the day of the municipal elections when citizens throughout Ontario and of course in Toronto cast their ballots for their municipal councillors. The issue of taxation is an important issue for all citizens, and particularly at the municipal level.

There's a challenge, as I understand it, for the city of Toronto because their taxation system, when you compare it to other regions in Ontario, tends to overtax the commercial-industrial sector and undertax the residential sector. There is a particular plan that has been reached with the Minister of Finance, through the current value assessment system, to get to a fair and equitable solution, but if the honourable member has any particular problems in his riding, I suggest he take it up with his local councillor.

Mr Sergio: It's very interesting. Let me tell you that the existing system of taxation is putting a lot of small businesses in Toronto, tied to long leases, at a great degree of disadvantage and at a much lower level of competition. Your refusal to bring equity and fairness to the taxation system continues to penalize thousands of small businesses in the city of Toronto. It's your responsibility to see that small business in Toronto can compete with similar businesses in the rest of the province in a fair, equitable manner and with a level playing field.

In two weeks, your government or yourself will be releasing the new assessment figures for the year 2001. Will you tell the House today that the new assessment will indeed reflect the necessary changes, making the system an equal playing field with equal opportunities to compete, or will you tell small business people in Toronto to go elsewhere and let the high-taxed properties in Toronto sit empty? Now is the time to tell the small business people in Ontario and Toronto what you will do for them.

Hon Mr Clement: I can certainly assure this House that my honourable colleague the Minister of Finance has indeed undertaken and will deliver on the legislation required to deal with the situation, what is called the 10-5-5, to ease into a fair and equitable property tax system.

But the honourable member seems to be suggesting that it's not a zero-sum game. The honourable member surely knows that the quicker we get the fairness and equity on the commercial-industrial side means the quicker we're raising taxes on the residential side. If the honourable member says the position of his party is to very quickly jack up, at double-digit levels, the property tax of residential taxpayers in the city of Toronto, perhaps he should come clean with that in this House.

1450

ADVERTISING

Mr Doug Galt (Northumberland): My question is directed to the Minister of Consumer and Commercial Relations. Lately I've noticed that more and more of the beer and alcohol companies are using sexual innuendoes and suggestions in their advertising in an effort to boost the sales of their products. This is something that I know many of my constituents are very concerned about. Even though I realize that alcohol companies are targeting those who are 19 years of age and older, it's difficult to try and prevent young children from viewing this alcohol advertising on TV, in movie ads and even on billboards.

Minister, could you please tell this House what you've been hearing about these types of ads and how you feel about them?

Hon Robert W. Runciman (Minister of Consumer and Commercial Relations): I thank the member for Northumberland for the question. I'm also concerned with the recent trend toward suggestive advertising that liquor and beer companies seem to be using. While I understand that using sex in advertising is nothing new, I feel that some of these more recent ads are pushing the envelope.

I understand that the beverage alcohol industry is very competitive and that a provocative ad may be used to attract attention to their product. However, children can be exposed to this material very easily, and I think beer and alcohol companies should keep this in mind when designing their campaigns.

Mr Galt: Certainly, as I mentioned, it's of concern, and I appreciate the minister's response and the concern about what the alcohol companies are trying to do.

Even though it's the responsibility of parents to keep a close eye on what their children are watching on TV and what they are listening to on the radio, I still think there need to be some reasonable and justifiable limits on what's considered acceptable in our society. I understand that the Alcohol and Gaming Commission is involved in the regulation of alcohol advertising in this province. Minister, could you please explain what their role is in this process and what they're doing about it?

Hon Mr Runciman: Again, the Alcohol and Gaming Commission pre-approves and regulates the beverage alcohol advertising in the province. They do this to make sure the company is promoting responsible and moderate consumption of their product.

I think it's fair to say that the commission is also concerned with the recent trend by both liquor and beer producers to push into new areas. They recently formed a committee to review their guidelines, with special emphasis on sex in advertising, and they plan to report early in the new year. This could result in an extension of the scope of these guidelines in Ontario.

PETITIONS

PENSION INDEXATION

Mr Tony Ruprecht (Davenport): Just two hours ago at a demonstration in front of the Ministry of Labour, I received this petition, which is addressed to the Parliament of Ontario and reads as follows:

"Whereas injured workers petitioned the Legislature of Ontario from 1974 to get full indexation of their benefits and pensions; and

"Whereas in 1985, all political parties in the Legislative Assembly of Ontario agreed to enact full annual indexation in the Workers' Compensation Act; and

"Whereas in 1998, Bill 99 restricted indexation of pensions and benefits under the Workplace Safety and Insurance Act; and

"Whereas the Canada pension plan is fully indexed annually;

"We, the undersigned, petition the Legislative Assembly of Ontario to restore full indexation on an annual basis to the Workplace Safety and Insurance Act of Ontario."

Since I agree with the sentiments of this petition, I'm very happy to sign it as well.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): I have a petition to the Legislative Assembly of Ontario:

"Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

"Whereas unlike many other jurisdictions, Ontario vintage automobile enthusiasts are unable to register their

vehicles using the original year of manufacture licence plates; and

"Whereas Durham MPP John R. O'Toole and former MPP John Parker have worked together" tirelessly "to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

"Whereas the Honourable David Turnbull, Minister of Transportation, has the power to change the regulation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act, which would allow vintage auto enthusiasts to use year-of-manufacture plates."

I am pleased to sign in support, as I know you would as well, Mr Speaker.

NORTHERN HEALTH TRAVEL GRANT

Mr Rick Bartolucci (Sudbury): This petition is to the Ontario Legislature and it concerns northerners demanding that the Harris government eliminate the health care apartheid that they're practising.

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation; and

"Whereas a cancer tumour knows no health travel policy or geographic location; and

"Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding; and

"Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

"Whereas we support the efforts of OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, the former chair of Cancer Care Ontario, Northeast Region, to correct the injustice against northerners travelling for cancer treatment;

"Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario."

I proudly affix my signature to the petition and give it to Allison to bring to the table.

Ms Shelley Martel (Nickel Belt): I have a petition regarding this government's ongoing discrimination against northern cancer patients. It reads as follows:

"Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

“Whereas a cancer tumour knows no health travel policy or geographic location;

“Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province;

“Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Lougheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario.”

I have affixed my signature to it. I agree with the petitioners. I'd like to thank Gerry Lougheed Jr for all of his work on this.

REGISTRATION OF VINTAGE CARS

Mr John O'Toole (Durham): Just looking through these petitions from all over the province of Ontario, there must've been a vintage car show recently. I have a petition here to the Legislative Assembly of Ontario in the name G.E. Spracklin and the name Tom Luke, who are from the Newcastle community in my riding.

“To the Legislative Assembly of Ontario:

“Whereas there are many Ontarians who have a passion for perfection in the restoration of vintage vehicles; and

“Whereas unlike many other jurisdictions, Ontario vintage auto enthusiasts are unable to register their vehicles using the original year of manufacture licence plates; and

“Whereas Durham MPP John O'Toole and former MPP John Parker have worked together to recognize the desire of vintage car collectors to register their vehicles using vintage plates; and

“Whereas the Honourable David Turnbull as Minister of Transportation has the power to change this existing regulation;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows: to pass Bill 99 or to amend the Highway Traffic Act to allow vintage auto enthusiasts to use year of manufacture plates.”

I'm pleased to sign and support this petition.

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NORTHERN HEALTH TRAVEL GRANT

Mrs Lyn McLeod (Thunder Bay-Atikokan): “To the Legislative Assembly of Ontario:

“Whereas the northern health travel grant was introduced in 1987 in recognition of the fact that northern Ontario residents are often forced to receive treatment

outside their own communities because of the lack of available services; and

“Whereas the Ontario government acknowledged that the costs associated with that travel should not be fully borne by those residents and, therefore, that financial support should be provided by the Ontario government through the travel grant program; and

“Whereas travel, accommodation and other costs have escalated sharply since the program was first put in place, particularly in the area of air travel; and

“Whereas the Ontario government has provided funds so that southern Ontario patients needing care at the Northwestern Ontario Cancer Centre have all their expenses paid while receiving treatment in the north which creates a double standard for health care delivery in the province; and

“Whereas northern Ontario residents should not receive a different level of health care nor be discriminated against because of their geographical locations;

“Therefore we, the undersigned citizens of Ontario, petition the Ontario Legislature to acknowledge the unfairness and inadequacy of the northern health travel grant program and commit to a review of the program with a goal of providing 100% funding of the travel costs for residents needing care outside their communities until such time as that care is available in our communities.”

This is signed by several more constituents who continue to share the concerns about the inadequate funding of this program. I affix my signature in full agreement with them.

LONG-TERM CARE

Mr Michael A. Brown (Algoma-Manitoulin): “To the Legislative Assembly of Ontario:

“Whereas the Espanola area services a population of 12,000 people and government statistics project a growth in population of people over the age of 75 to reach an estimated 336 by the year 2003;

“Whereas the long-term formula for the distribution of long-term-care beds would indicate a need for between 59 and 76 beds by the year 2003;

“Whereas just 30 long-term-care beds exist in the Espanola area with the result that a lengthy waiting list already exists and people are being placed in long-term-care facilities far distant from their home communities;

“We, the undersigned, petition the Ontario Minister of Health and Long-Term Care and the Ontario government to immediately approve a proposal by the Espanola General Hospital, supported by the Algoma, Cochrane, Manitoulin and Sudbury District Health Council for an additional 34 long-term-care beds in Espanola.”

This petition is signed by many people from Espanola and Nairn Centre.

PARENTAL LEAVE

Ms Shelley Martel (Nickel Belt): I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

“Whereas parental leave benefits will be extended to 50 weeks beginning December 31, 2000;

“Whereas many Ontario parents will want to take full parental leave to spend quality time with newborns and newly adopted children;

“Whereas Ontario’s Employment Standards Act now only provides job protection for 18 weeks of parental leave;

“Whereas many Ontario families will be unable to access full parental leave because they cannot risk losing their jobs;

“Whereas the Ontario NDP has introduced Bill 138, the fair parental leave bill, which would extend job protection for parental leave to 35 weeks;

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

“We demand the Harris government immediately pass Bill 138, so that no Ontario parent will lose his/her job if they choose to take full parental leave.”

This is signed by people in Toronto. I’ve affixed my signature to it, and I agree with this petition.

SCHOOL BUS SAFETY

Mr Pat Hoy (Chatham-Kent Essex): I have a petition that I’ll read in part.

“To the Legislative Assembly of Ontario:

“Whereas motorists are not obeying the highway traffic law regarding stopping for school buses which are loading and unloading school children on the streets and highways of Ontario;

“Whereas the children who ride the school buses of Ontario are at risk and their safety is in jeopardy;

“Whereas the current school bus law is difficult to enforce since not only is a license plate number required, but positive identification of the driver and vehicle as well, which makes it extremely difficult to obtain a conviction;

“Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That Private Member’s Bill 78,” now Bill 24, “An Act to amend the Highway Traffic Act, which will be presented by Pat Hoy, MPP, Essex-Kent, as ballot item number 51 in the next legislative session, be passed at third reading.”

Bill 24 “imposes liability on the owner of a vehicle that fails to stop for a school bus that has its overhead red signal lights flashing and:

“Increases the fines for drivers identified breaking the school bus law to a range from \$500 to \$1,000 on a first conviction and \$1,000 to \$2,000 on a subsequent conviction.

“It establishes a fine for identified vehicles breaking the school bus law of \$1,000 to \$2,000 on a first conviction and \$2,000 to \$3,000 on a subsequent conviction.

“And we ask for the support of all members of the Legislature.”

This is signed by a number of residents from Hagersville, Cayuga and Caledonia, and I affix my signature to it.

NORTHERN HEALTH TRAVEL GRANT

Mr Michael A. Brown (Algoma-Manitoulin): I have a number of other petitions regarding the northern Ontario health travel grant. These are in addition to the thousands of names that have come from Algoma-Manitoulin.

“Petition to the Ontario Legislature.

“Northerners demand Harris government eliminate health care apartheid.

“Whereas the northern health travel grant offers a reimbursement of partial travel costs at a rate of 30.4 cents per kilometre one way for northerners forced to travel for cancer care while travel policy for southerners who travel for cancer care features full reimbursement costs for travel, meals and accommodation;

“Whereas a cancer tumour knows no health travel policy or geographic location;

“Whereas a recently released Oracle research poll confirms that 92% of Ontarians support equal health travel funding;

“Whereas northern Ontario residents pay the same amount of taxes and are entitled to the same access to health care and all government services and inherent civil rights as residents living elsewhere in the province; and

“Whereas we support the efforts of the newly formed OSECC (Ontarians Seeking Equal Cancer Care), founded by Gerry Loughheed Jr, former chair of Cancer Care Ontario, Northeast Region, to correct this injustice against northerners travelling for cancer treatment;

“Therefore, be it resolved that we, the undersigned, petition the Ontario Legislature to demand the Mike Harris government move immediately to fund full travel expenses for northern Ontario cancer patients and eliminate the health care apartheid which exists presently in the province of Ontario.”

This is one petition of the 50,000 names that are being presented in this Legislature on behalf of this cause.

SCHOOL BUS SAFETY

Mr Pat Hoy (Chatham-Kent Essex): I have another petition signed by a number of residents of Wawa.

“To the Legislative Assembly of Ontario:

“Whereas motorists are not obeying the highway traffic law regarding stopping for school buses which are loading and unloading school children on the streets and highways of Ontario;

“Whereas the children who ride the school buses of Ontario are at risk and their safety is in jeopardy;

“Whereas the current school bus law is difficult to enforce since not only is a license plate number required, but positive identification of the driver and vehicle as well, which makes it extremely difficult to obtain a conviction;

“Therefore be it resolved that we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That Private Member’s Bill 78, An Act to amend the Highway Traffic Act, which will be presented by Pat Hoy in the next legislative session, be passed at third reading.

“Bill 78”—now Bill 24—“imposes liability on the owner of a vehicle that fails to stop for a school bus that has its overhead red signal lights flashing and:

“Increases the fines for drivers identified breaking the school bus law to a range from \$500 to \$1,000 on a first conviction and \$1,000 to \$2,000 on a subsequent conviction.

“It establishes a fine for identified vehicles breaking the school bus law of \$1,000 to \$2,000 on a first conviction and \$2,000 to \$3,000 on a subsequent conviction.

“And we ask for the support of all members of the Legislature.”

I am pleased to affix my signature to this petition.

ORDERS OF THE DAY

TIME ALLOCATION

Hon Chris Stockwell (Minister of Labour): I move that, pursuant to standing order 46, and notwithstanding any other standing order or the order of the House dated May 30, 2000 relating to Bill 69, An Act to amend the Labour Relations Act, 1995 in relation to the construction industry, the order for third reading be discharged and that the bill be recommitted to the standing committee on justice and social policy;

That, pursuant to standing order 75(c) the chair of the standing committee on justice and social policy shall establish a deadline for filing of amendments with the clerk of the committee; and

That the standing committee on justice and social policy shall be authorized to meet November 16, 2000 for clause-by-clause consideration of the bill; and

That the committee be authorized to meet beyond its normal hour of adjournment on that day until completion of clause-by-clause consideration; and

That, at 4:30 p.m. on the day designated for clause-by-clause consideration of the bill, those amendments which have not been moved shall be deemed to have been moved, and the chair of the committee shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill, and any amendments thereto. Any division required shall be deferred until all remaining questions have been put and taken in succession with

one 20-minute waiting period allowed pursuant to standing order 127(a); and

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That the committee shall report the bill to the House not later than the first sessional day that reports from committees may be received following the completion of clause-by-clause consideration, and not later than November 20, 2000. In the event that the committee fails to report the bill on the date provided, the bill shall be deemed to have been passed by the committee and shall be deemed to be reported to and received by the House;

That upon receiving the report of the standing committee on justice and social policy, the Speaker shall put the question for adoption of the report forthwith, and at such time the bill shall be ordered for third reading;

That, when the order for third reading is called, one sessional day shall be allotted to the third reading stage of the bill, at the end of which time the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further debate or amendment;

That, the vote on third reading may, pursuant to standing order 28(h), be deferred until the next sessional day during the routine proceeding “Deferred Votes”; and

That, in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes.

The Acting Speaker (Mr Tony Martin): Mr Stockwell has moved government notice of motion number 70. Mr Stockwell.

Mr Dominic Agostino (Hamilton East): Another closure motion to shut down debate.

Hon Mr Stockwell: Are you just heckling at large?

Let’s be clear: there is a difference between closure and time allocation. It may be somewhat inside baseball and technical, but there is.

Mr Agostino: Explain the difference, Chris.

Hon Mr Stockwell: I could explain the difference, but even if I did I’m not sure it would help.

Let’s talk about Bill 69. In the last few weeks a few misconceptions have been placed in the broader public with respect to what Bill 69 does and doesn’t do. If we move back to the original debate on Bill 69, we had to talk about the competitiveness issue and the competitiveness argument about the bill. There was some consensus within the industries—the construction industry and the union sector—that there was a competitiveness problem with respect to unions winning, gaining and completing construction work, and they were losing a large part of their market to non-union construction companies. Obviously this was not boding well for the general contractors who work in the union side of things, but it was also not working very well for the subcontractors in the union side, as well as the unions themselves.

Many hiring halls across this province were having a very difficult time placing their workers, mostly men who work through the hiring halls, who were having a tough time finding work because a lot of the old work that was being done in those sectors was being usurped,

removed or taken away by non-union construction companies. The simple fact of the matter was that union companies weren't maintaining competitiveness in their bidding process.

What also became apparent was that through a series of negotiations over the years, the unions, the subs and the generals could not find a conclusion that was sympathetic or acceptable to all three parties. Over many years they did negotiate different terms and conditions, but at the end of the day those negotiations ultimately broke down and they couldn't find a conclusion.

I travelled this province, talking about, investigating and hearing about the competitiveness issue. There was no doubt that in certain areas around this province like Sudbury, Hamilton, Windsor and Kingston, there were a lot of men on waiting lists but not very many working. The union came to me after the last election, as well as the generals and the subcontractors, hoping to see if they could have another round of negotiations in order to find a conclusion or a solution to the particular problem that was plaguing the construction industry. I undertook to find the competitiveness issue, to at least determine whether there was a competitiveness issue and to try to find a resolution to this issue.

I will say that I think all the parties came to the table in good faith: the unions, the subcontractors and the general contractors. Those are the three sectors that are at play in this issue. I think they all came with honesty and integrity, and in good faith were prepared to try to negotiate some kind of conclusion to this issue, and it was to the benefit of all. Let's understand that if unionized general contractors don't win work, then the trickle effect is very clear. The subcontractors who are unionized don't get work and obviously the unions that supply the men to these jobs aren't working. So the industry was in a bit of a kerfuffle.

What seemed fairly apparent was that the general contractors were taking the position that they needed some kind of abolition of 1(4). Again, 1(4) is rather technical, inside baseball terminology, but 1(4) basically would allow general contractors to double-breast. "Double-breast" means they could run a union shop and a non-union shop, and they could bid whichever job they wanted with whichever company they chose to bid it with.

This was absolutely unacceptable to the unions. They believe that if you allow general contractors and subcontractors to run a union shop and a non-union shop, it wouldn't be long before they would just simply stop bidding the union shop for work because the non-union shop was more competitive and they wouldn't have to build in a more competitive system in order to bring work to the union side.

That was the position put forward by the general contractors and subcontractors.

Through the negotiations it seemed reasonable to me, considering the history and the decisions that have been taken in the past, that we should have a different look at this. But let's also understand another thing: a lot of these

general contractors were in essence unionized through what I classify as a backdoor provision. They were never actually unionized through a vote of the rank-and-file employees. What happened was, they would sign working agreements with time-limited periods with unions where they would hire union workers. One of those working agreements they were working in was in the late 1970s, and the general contractor signed a working agreement within Toronto for a very time-specific period with some mechanical and plumbing contractors.

The Ontario Labour Relations Board, in my opinion, made a decision that was unfair. I'm sure others will argue differently, but I think it was unfair. What they did was, they tied those general contractors, because they had signed a time-limited, site-specific union agreement, to unionization across the entire province of Ontario in perpetuity. In essence these general contractors, who have agreed to have hired union workers for a specific job for one year, now found that they couldn't hire anything but unions, all across the province of Ontario, forever. So in actual fact, the union didn't go in and organize these general contractors; it got them certified through a decision or a backdoor approach at the Ontario Labour Relations Board.

Having said that, as reasoned and thoughtful as this government is, they understood that there were concerns with respect to the union movement about double-breasting. My position at the time was, at this point in time, considering the unionization, before you could even talk about abolishing subsection 1(4), which allows double-breasting, you should at least try and implement a plan or a program that will make the unions more competitive to see if they can get more work so you may not have to go to the point of actually abolishing 1(4). That's the backdrop.

The negotiations took a long time and they were very, very arduous. I've got to give credit again to all three parties; they negotiated in good faith. The agreed decision of the three parties at the end of the day was Bill 69. The generals weren't happy with it because it didn't do what they wanted it to do; the subcontractors weren't tremendously happy with it, nor were the unions. But it was a reasonable compromise to create a more competitive marketplace.

When Bill 69 was introduced, I had met on a number of occasions with those people involved in the union movement, and they endorsed Bill 69. I didn't just negotiate with six union representatives; I negotiated with a team of six or seven union reps as well as a backroom group of 40 or 45. That's why it always frustrates me to see Mr James Moffat sitting in the gallery on occasion decrying Bill 69, because Mr Moffat was one of those people who sat in the back room and endorsed the deal. If he had any problems, my position at the time was, "Then bring them up and say them now, because once this bill goes forward it becomes very difficult to start tinkering with it because the three of you have agreed that this is the approach we're going to take." So

we went out on public hearings. To my shock and dismay, people such as Mr Moffat and others decided that they maybe hadn't read their own membership well and they found that they were having trouble selling the deal to their own local membership. I can understand that. We should all understand that; we're all in politics. We all understand that politically what you expect the reaction to be sometimes isn't, and there was a backlash in the local communities.

Not to break into the deal holus-bolus, but let me give you the reaction of local communities. The reaction was there was concern about the ability of subcontractors to bring workers with them to other communities. But that was agreed to in the negotiations: 66% of employees would either be brought with them or name-hired.

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At the time, some of the union representation bailed. Flatly, in political vernacular, they folded like a cheap pup tent. And then they tried to spell off their inability to read their own membership by blaming the government. Frankly, I found that reprehensible at best. Maybe you could have gone back to your rank and file and said, "Look, I screwed up here. I committed us to something and I didn't realize you were so opposed to it. Maybe we'll go have a rethink of it." But they didn't do that. What they claimed was that the deal we negotiated was somehow different from what was in Bill 69, and that is just not the fact. The flat-out fact is that Bill 69 is what people like James Moffat and others agreed to. They agreed to it. Now if something happened in the past that gave them trouble, as I said earlier, they should have come back and said, "We've got to renegotiate this. I can't sell this to the membership." Maybe my reaction would have been, "I can't do it." But the way they attacked the problem was profoundly unfair, unfair to the general contractors, to the subcontractors, to the other people—the union brothers and sisters—who were with them negotiating the deal, and of course to the government. Because they then turned tail and ran. Quite honestly, to me that is the not the noble approach to take.

I understand their opposition, and frankly I understand the opposition of the member from Hamilton, Mr Christopherson. He's an NDP member, born and bred in the union movement. I understand how he'd have trouble with this. I don't profess that he would probably have any other position than he had. I'm a little dumbfounded by Mr Agostino's opposition, but I shouldn't be, I suppose. It's a cliché-driven argument that offers nothing in the way of salient criticism. It's just an argument that's cliché-driven, that offers no reasonable response to the bill that's before us. Because the bill, regardless of whether or not you agree or disagree with it, is going to create a more competitive workplace in certain parts of this province. Why? Let me explain it to you.

The construction industry is one of the few industries in this province that negotiates their collective agreements province-wide. With all collective agreements in the construction industry—whether you're a drywaller or an electrician or a plumber—you negotiate your rate

province-wide. So once every three years they gather in Toronto and negotiate their collective agreement for what an electrician makes. This has been the standard approach for the last two or three decades. There's an inherent flaw in that approach, and I don't think you have to be a union member or a non-union member to understand the inherent flaw. The inherent flaw is this: a value attached to work set down in Toronto may not be an applicable value in Windsor, North Bay, Timmins, Sudbury, Wawa or Ottawa. Because what you must accept—and I don't believe people will make this argument—is that in these different areas across the province the economy is different. The economy is different in the riding of my friend Mr Johnson than it is in my riding. The economy is different in the opposition members' ridings than it is in my riding. So what was the case we were faced with? Simply, that if we continue on the approach that you do province-wide negotiating, then whatever rate is set in Toronto is going to be the rate paid everywhere else, and quite frankly contractors couldn't afford to pay those rates and win jobs in areas outside of the Toronto region.

And you know something? Everybody was in agreement with that—everybody. So that was the issue with respect to the competitiveness. And what Bill 69 allowed—and this isn't breaking any traditional union credos, this isn't abolishing labour relations, this is not abolishing negotiation—all it says, is that you can still negotiate province-wide, but if there's an application by a local person to suggest that the rates are excessive and don't allow them to be competitive and don't allow anybody to work—general, sub or union—then we need to have negotiations locally, and the idea of the local negotiations would be that rather than paying—and I'm picking a number here—an electrician 28 bucks an hour, maybe in Sudbury we'll pay them 22 bucks an hour so the job's more competitively bid and we'll actually win the work. Rather than having a hiring hall of 400 guys and 340 of them not working, we'll have 340 of them working instead of 340 not working. That's the thrust. It was never intended to take away any ability of the unions to represent their membership. It was never intended to take away their ability to negotiate collective agreements. It was never intended to take away their ability to call a general province-wide strike. All those issues were maintained in the body of Bill 69. So there are benefits and downsides.

Where the ship hit the shoal on this issue was the benefit that was going to be derived for the eight general contractors in Ontario. Part of the negotiation was—and this is as clear as clear can be. I don't believe anyone can suggest they didn't know this when they signed on to 69. It absolutely boggles my mind that anyone could claim they didn't know this was part of it, that the general contractors would be relieved of their union responsibilities acquired through those working agreements—and it's back to the first part of this argument I made—where they actually unionized them through the OLRB backdoor. If any of those generals had been unionized

normally through a process of carding the members and voting, they weren't going to lose that. They were only going to lose that process of unionization that they got through the backdoor at the Ontario Labour Relations Board. It didn't preclude the fact of the union going into that workplace and organizing them again. Sure you could. The only relief that was sought by the generals was to relieve them of the responsibility of those working agreements outside of board area 8 that were captured through the backdoor of the Ontario Labour Relations Board. That wasn't that unreasonable, in my opinion.

Furthermore, to hear some of those people, like I said before—what's his name? James Moffat—argue that this wasn't on the agenda is absolute hilarity. This is incredible, that people can stand bald-faced in front of you and say those kinds of things and they don't even twitch their eye or smirk their lips. Either they have done this so often they believe it or they've got a job ahead of them working in some casino.

So that was the thrust of the debate. As I said before, I understand the opposition from the opposition, and I understand their opposition to the bill, but I want to tell you, nowhere in the bill was it ever designed that we would allow double-breasting. Nowhere in the bill was it designed that we would allow related-employer provisions to proceed. Nowhere in the bill was it designed that we would take away collective bargaining rights. Nowhere in the bill was it designed that we would remove the right to strike. We just developed a scenario that allowed for a more flexible negotiating process so people in different parts of this province could get work that they weren't getting today. That was the thrust of the bill. I find it deeply damaging to suggest that the bill was anything else.

The argument across the floor that I've heard ad nauseam, particularly from my friend for the Liberals, is that we put a gun to their head. The situation is simply this: a Legislative Assembly and a government have responsibilities. Obviously we always, always had the power to remove 1(4). If we had wanted to remove 1(4), we could have simply done it. Clearly, by not doing it, we understood the value of 1(4). The suggestion that we put a gun to their head is somewhat remiss, is somewhat overstated, because if we wanted to remove 1(4), we could have done it at any time we wanted, and we didn't. It was fairly apparent we were looking for a compromise. I know it's a cliché-driven debate and maybe I'm wasting my time in talking to him because I know he's just going to bark out, "You put a gun against his head," but the fact is—

Mr David Christopherson (Hamilton West): Why are you so condescending?

Hon Mr Stockwell: I think it's because I need to be. Obviously there's just not a lot of understanding of this bill. Obviously, some of the members opposite haven't read it or understood it, because they go out into the public out there and tell people about this bill and they don't even have a simple working knowledge of the bill,

including yourself. Sometimes you have to go slow for your benefit. That was the thrust of the bill.

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Mr Christopherson: You're so arrogant.

Hon Mr Stockwell: I don't think so. I think the arrogance is for the member from Hamilton. I think he is because he's got to go out there and spew things when he doesn't know what he's talking about. Now if that isn't the height of arrogance, I don't know what is.

So that's the thrust of the bill.

There's another component to the bill as well. The other component is the residential framework to the bill. The residential framework to the bill is even better than the ICI side of the bill. We did the exact same thing again. We brought the parties together, the unions and the builders, which is something the NDP never would've thought of doing. We brought them together. We asked them to negotiate an agreement that would make the unions and the builders work together to come up with a plan that would remove the provision of the strikes within the industry.

If you remember back to 1998, the residential housing industry was plagued with five months, I think, of residential strikes that slowed down homebuilders. All those people who bought homes in the residential marketplace couldn't close because, in the residential marketplace, what happens is all the trades come up for negotiation at different periods of time. There are about 25 of them. The minute one trade ended up going on strike and then settling, the very next day the next trade would go on strike and they'd go for two weeks and settle. It was a domino effect. It worked out to such a large degree that five months passed before they could get all the unions to settle.

Everybody in that industry said: "This isn't good. It isn't working this way. We don't want to go out for five months because we are going out individually and nothing is being accomplished other than nobody is getting paid, nobody's building any homes and families aren't moving into them for five months." As part of this bill for Bill 69, we went to the residential component of the bill. We asked them, "Is there any way that we can address the issue with respect to the five-month strikes?"

The unions and the builders got together. They responded by reaching an all-party agreement to having a common expiry date of April 30. The unions agreed, the builders agreed on April 30. They've agreed. They would have an all-party agreement that, if you're going to go on strike, if you're going to have a collective agreement run out, they all have to run out on April 30. That was within the industry.

Both parties also agreed that rather than having a prolonged strike—these are progressive builders and progressive unions. These are people who understand the private sector economy and they negotiated this in good faith in the 21st century, not in some arcane backwater way that some of the NDP choose to negotiate or talk about how you negotiate collective agreements. These were progressive-thinking people. They decided that

there would be a 46-day window for a strike or a lockout, ending June 15.

What the unions and builders said is: "Look, everybody's contract expires April 30. If you go out on strike, by June 15 you have to go back to work. What happens when you go back to work? You send the strikes and the disputes to binding arbitration."

Binding arbitration is very simple. The union puts in their request. The builders put in their request. One arbitrator decides which application he accepts. There's no negotiation; there's no argument; there's no nothing. The arbitrator sits there. He gets one from the union, one from the builders, and he says, "OK, which is the most reasonable?" It forces the parties to be reasonable, because if they're not reasonable in their submission, then the other party's going to win the day, which in my opinion has been very good.

They've agreed to it. They've said, "OK, let's try this particular dispute resolution system for this time and we will tell you if it works." We the government said, "Sure. This is an industry-led conclusion. This is an industry-led operation. Then, sure. This works. We will let you do it. If you want us to maintain this legislation, we will pass an order in the House to maintain it"—if it worked. So that was the issue.

There were other issues with respect to finding agreement between the two groups, but where the thing broke down and the reason we're back here and we have to go back to committee is that the unions agreed in the non-civil trades to get a majority of the non-civil trades to vote to allow the general contractors out of their working agreements, and that was the crunch. That was the crush of the bill. That was the benefit to the generals, that they be allowed out of their working agreements. So, as part of the bill, it was agreed that the non-civil trades would vote to allow the generals out of their working agreements outside of board area 8 or the GTA.

What happened at the end of the day? At the end of the day, this happened and this is why I find it somewhat frustrating: if the unions didn't know this was happening, why did they go out and try and get the non-civils to vote the generals out of their working agreements? Why did they bother? If this is what nobody agreed to, why did they do it? Why were some arguing after the fact, like Mr Moffat, that they shouldn't be allowing them out? If he's arguing they shouldn't have been allowing them out, how did he even know it was going to be there? How did he know that was part of the deal? Did it just come to him one day? This was just some kind of oracle? An epiphany? It came to him one day that, oh, this is what's going to happen? He did that because he knew that was going to happen, because he was part of the negotiations.

That's what happened. Now we're stuck in a situation that if we want Bill 69 to go through, we have to refer it back to committee and do for the unions what they said they would do for themselves in order to make Bill 69 work. That, in a nutshell, is the brief history on this bill.

Let me tell you, though, there's another side. The other side is that we should just go ahead and abolish

1(4). There are definite benefits to doing that as well. There's no doubt about that. Right now, unions in the province, because union contractors don't have any way of negotiating, tend to hold the subcontractors up for ransom and force them to pay exorbitant amounts of money. They achieve these through the back door again at the Ontario Labour Relations Board.

What the generals and subcontractors are saying, which again is a compelling argument, is, "Why should we be held hostage like no one is held hostage in this province? Why? Why should we not be allowed to operate a business that's union and operate a business that's non-union? What's the matter with that? It's supposed to be a free country. It's supposed to be a democracy. Why can't we do what anyone else in this province is allowed to do in any other industry?" It does seem fairly reasonable, because the general contractors that are supposed to be unionized don't hire anybody. They don't have any employees. So if they do want to decertify, they can't because they have nobody to vote, but somehow they're unionized through this aberration at the Ontario Labour Relations Board. What's fair and equitable about that?

That was the issue at hand: how do we deal with this issue? I think we took a responsible approach—over the protestations across the floor. I'm not really sure why they were protesting so loudly, particularly the Liberals. I don't get it, frankly, because this is not unreasonable. This is a fair, reasonable compromise to a complicated issue.

I hear the member for Hamilton East cackling away again about some cliché-driven argument he'll make, I'm sure, that has something to do with a gun to the head, do the right thing and come clean, yadda, yadda, yadda. But the bottom line is simply this: it's a reasonable approach to take, because what it did do was it protected the union approach as far as related employer and double-breasting, but it also allowed those general and subcontractors to be more competitive around the province.

I don't know why they can't endorse it. They believe in opposition that you've just got to oppose. You just have to oppose.

1540

Mr Bruce Crozier (Essex): You were there.

Hon Mr Stockwell: I was there too and I voted in favour of some government initiatives. I think it's reasonable, if they have government initiatives that are reasonable, and this is one of them. The rationale here is that it's not fair. I keep wanting to hear, why isn't it fair? If you think having a union hall with 350 guys there not working is some kind of noble treatment of unionization, you're an absolute fool. If you think that works, you're crazy; it doesn't work. We've got study after study. I can show you example after example, union hall after union hall, where they're not working. What you want to do is maintain their right not to work. What's the benefit of that? What does a deep-thinking, knowledgeable person say to that? "I want to maintain your right not to get a job." This is somehow a noble left-wing cause.

So this is what they have deemed to be their approach. Our approach has been, rather than simply allowing these union halls not to work, to create a negotiating process that allows them to be competitive so they can win work in their local community and actually be employed. Because I'll tell you, if you're getting \$28 an hour and you're not working, it's got to be better to get \$22 an hour and be working. That's the difference.

I'm going to turn it over to my friend from Barrie-Simcoe-Bradford very shortly. I will just close by saying that the amendment that's going to go at committee is a very standard amendment. I don't believe it will be out of order. It is contained within the bill. It just will allow some opportunity for the government to pass regulations that will relieve the generals from their working agreements in those non-civil trades outside of board area 8, which is what the deal was all along.

I'm at a loss. I find the opposition to the bill somewhat passing strange. I think if people give this bill an opportunity to work, you'll find a far more competitive approach in this province, you'll find a more accepting worker, you'll find people more gainfully employed. Ultimately, at the end of the day, this bill is more beneficial to the union than it is to the non-union. Because if the union member is working, he's paying union dues, and if he's paying union dues, then obviously there's a strong and vibrant union movement. If the union member isn't working, which is the case today, they're not paying union dues. That's the difficulty.

I'm going to be very interested in listening to the member for Hamilton East say anything about the bill, anything besides some rhetorical stream of consciousness, anything about the bill that he finds appalling, because I can tell you, there are union rank-and-file people and executives out there who support it because of its acceptable approach.

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I'm very pleased to join in the debate that was commenced by the honourable Minister of Labour.

Mr Rick Bartolucci (Sudbury): On a point of order, Speaker: Is it not customary that we do the rotation during this, or is he allowed the entire hour? I thought when one speaker was finished we did the rotation.

The Acting Speaker: When I looked, there was nobody standing and the member for Barrie-Simcoe-Bradford was, so I went to him. But if you want to rotate, that's fine. We'll go to the member for—

Mr Tascona: If the member wishes to have the time to speak—

Mr Bartolucci: Point of order, Speaker: I just want to know what the procedure is, because I believe the procedure is rotation.

The Acting Speaker: The procedure is that we rotate.

Mr Bartolucci: So we're not asking for anything special here. We're asking to do what we've always done, what is tradition.

Mr Tascona: I am quite pleased to commence the rotation.

The Acting Speaker: The member for Hamilton East.

Mr Agostino: I'm pleased to join the debate. I will split my time with a number of my colleagues, as this is an extremely important bill.

First of all, it's unfortunate that the minister had to engage in the type of personal attacks he did during those comments, particularly questioning the integrity of union leaders like Mr Moffat, who are doing their jobs in representing the views of their members. I think it's below the dignity of the office of minister that he holds, and I think it's also a disgrace and an embarrassment that a minister of the crown would use this House as an opportunity to attack the integrity of people who cannot defend themselves in here and labour leaders who are defending their members.

I find the whole tone appalling. He referred to people who disagree with him as fools and crazy. That is the level of the rhetoric and debate the minister engaged in as he accuses the opposition of simply engaging in rhetoric. I saw nothing in what the minister said except for a round of personal attacks on labour leaders and members of the opposition who dare question the supreme, God-given right of the minister and the government of Ontario, who believe they have to dictate laws in this province without any opposition. I think that is disgraceful.

Up to now in this province, there has been about 25 to 30 years of relative labour stability in the construction industry. We tend to have a short memory and we tend to forget history in this province. The reason many of these changes came about was because of a totally difficult, unbearable and dangerous situation in the construction industries in the late 1960s and early 1970s. Violence, bombings, people being threatened and suggestions of infiltration by criminal organizations into the construction industry were many of the reasons these changes came about. We've had fairly decent stability in this province when it comes to the construction industry. This government is now threatening to remove all that.

The minister says it is rhetoric to suggest that the reason some representatives of the union initially agreed with the government had nothing to do with his threat, and it was a threat. The minister can call it rhetoric; it is reality. The minister's own words suggested clearly that unless the unions agreed to his version of Bill 69, his only alternative would be to bring 1(4) back to the table and remove it from the legislation right now in Ontario. That is not the opposition saying that. That is not the labour movement saying that. That was the minister's own threat in June this year. He said, "You agree with me on Bill 69, or I'm going to bring in legislation to remove 1(4)." That is not negotiating. You don't negotiate with a gun pointed to their heads and your finger on the trigger. That's exactly what happened here.

How does the minister even dare suggest that this was somehow balanced, that this negotiation that he feels the unions later backed away from was somehow fair? It was extortion, it was blackmail and nothing less by this government.

The Acting Speaker: You can't accuse the government of extortion and blackmail. You'll have to withdraw that.

Mr Agostino: I'll withdraw that, but I'll accuse this government again of putting a gun to their heads and saying to them, "Agree with me or I'm going to blow your brains out." That was the choice the unions had. That was no choice.

This is a bad piece of legislation. As I said, it threatens the labour stability we've had in this province. It basically attacks free collective bargaining. It removes many of the provisions that are now in the hiring halls, provisions of collective agreements where seniority means something, where you don't discriminate against someone based on age, where you don't discriminate against someone based on the fact that they may have been injured and can do only one type of work and not another. Many of the protections that unions have fought for, for their members, are going to be taken away through this piece of legislation. That is wrong.

You're giving employer groups the right to gut collective agreements through this piece of legislation. You're asking them to agree to lowering wages and bringing them to a lower standard rather than a higher standard. That's what this legislation is asking unions to do. After agreements were negotiated fairly across this province, this government is saying, "We're now going to give employer groups the right to gut those agreements," so that the right you've earned for your workers can now very simply be taken away, very simply. You're asking them to abandon bargaining rights with the Big Eight outside of Toronto.

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We know what this bill is all about. This is a nice thank you to the Big Eight who have donated hundreds of thousands of dollars to this government. It is a recurring theme: Geoff Smith and his thank you for forming Liberals for Harris during the campaign. This is simply another attempt to reward your friends for their help. That's what this bill is all about. You're willing to threaten labour stability in this province, you're willing to threaten the peace that we've enjoyed in the construction industry, for the sake of trying to help a few. You're willing to abandon many to help a few of your friends, and it doesn't matter what is right or wrong here, because the Big Eight gave you lots of money. They supported you in your campaign. That's what matters to you: not what is right or wrong in this province, but who donated money to your campaign and who supported you.

That is not the way you have labour law in this province; that is not the way you achieve labour peace. You're asking the unions to abandon their members by agreeing to this. What you're doing, frankly, is allowing Toronto companies to bring up to 40% of their workers into smaller communities. You talk about giving local communities the opportunity to employ more companies. What you're doing is allowing the bigger companies to

bring in up to 40% of their workers into smaller communities. That's what this is all about.

You're asking people to take lower wages for the same work. That's what this bill is all about. That is why this bill is bad. That is not rhetoric; that is reality. This is a race to the bottom. Bill 69 doesn't drive wages up; it doesn't improve conditions for working men and women. What it does is drive them down. It drives them down with the excuse that they have to compete with non-unionized companies and so on.

Let me remind this House again, let me remind this government, as I have and as I will every time I stand up and speak about labour legislation in this province as it affects the construction industry, one of the most dangerous industries to work in, an industry with one of the highest rates of accidents and deaths across this province, as you continue to union-bash and to take workers away from the opportunity to be unionized, that last year in this province, and you know this well, there were 20 deaths in the construction industry. Twenty men left for work one morning and did not come home that night. Out of those 20, 18 worked on non-unionized construction sites. What does that tell you about safety? What does that tell you about rights? What does that tell you about the right to refuse unsafe working conditions?

This is what this bill is leading us to. It is sad, it is disgusting, it is disgraceful that this government is going to abandon those people in order to help their friends who happen to have the money to donate to them.

Then for the government and this minister to suggest that somehow unions who dare speak on behalf of the members they are trying to protect are fools or crazy, or to question their integrity—I still believe, despite this government's best efforts, that we live in a democracy and that union leaders have the right to defend the men and women they represent, and opposition parties have the right to speak out on legislation that we believe hurts average people in this province. We're not crazy or fools for doing that, despite the minister's attempt to characterize us as such.

This is a bad piece of legislation. The building trades council of Ontario made it very clear at their convention in London in October that they oppose Bill 69 in any form, that this is not good legislation. So the minister should have no doubt in his mind today that Bill 69 is only agreed to by the construction industry, the Big Eight, the companies, and that there is not one single local under the building trades council, according to their own resolution, that supports this piece of legislation.

Let's be clear again: this is the balance. You call this "balance" that you're trying to achieve. You've got every single organization representing the building trades in this province and the hundreds of thousands of men and women who work there saying, "We don't want this." You've got the companies on the other side saying, "We want this legislation," and somehow this is a balance. It is totally one-sided. There's no balance here, as there is not with any other piece of labour legislation this government has brought in.

The minister just slightly, for a few days, did the right thing on October 30, 2000: he withdrew the bill. He sent a press release at 6 o'clock on Friday afternoon saying, "That's it, the bill's gone." He withdrew it. Then he stood up a few weeks later and said, "Oh, it's back, under our terms, under our conditions, and to hell with the trades and what they think or want in all of this, because I'm taking the side of the companies. I'm clearly on the side of the big companies here because they donated lots of money to our campaign and they supported us in our campaign."

That's the decision the minister made, and he's managed to do something clearly here which no one else achieved, not in years: he's managed to unify the labour movement in their opposition to this government and to this attack. So if any good comes out of this, it's now that there's a solid opposition to this. But I ask the government to stop and think for a second, to maintain the stability we now have in the construction industry, to maintain the labour peace we now have, to do the right thing today, to withdraw this bill. We do not need it. There is not a problem. Frankly, things can continue as they are. They're working fine. The construction industry is busy. People are working right now. Why destroy that? I ask this government to put away their ideology, their right-wing ideology here, their Conservative-Republican ideology and to do what is in the best interests of all Ontarians: scrap this bill and don't threaten the labour peace and don't threaten men and women in Ontario who are working today in the construction industry.

Mr Tascona: I'm very pleased to re-enter the debate, this time on a more permanent basis.

Bill 69, as many of you are aware, is designed to bring back competitiveness to the construction industry, not only dealing with the industrial-commercial-institutional sector of the construction industry, but also the residential sector. When you deal with Bill 69, especially with the residential construction sector, and certainly in my area from Highway 7 up into Simcoe county and the district of Muskoka and Bracebridge, you're seeing a lot of construction in the residential sector.

The history with respect to the residential sector back into the 1980s has been a lot of strike activity by trade, be it the drywallers, be it the labourers, be it the masons, and jockeying for position with respect to who would go out and who would get the best deal. I think there was very strong support from all the parties for the residential sector to make sure that there was an end to this type of disruption, that there would be an end point and it would be very clear, somewhat what we have with respect to the industrial-commercial-institutional sector, also known as the ICI sector. I'll deal with that momentarily.

The proposal in terms of the legislation for residential construction in the Toronto area and up to Simcoe county will force all collective agreements to expire at the same time and to allow a 45-day strike window. Residential construction companies and obviously the trade, I feel, would be supportive of this type of approach. That's very similar in terms of the expiry date of the collective

agreements for the ICI sector. What you find is that the difference between the ICI sector and the residential sector is that you have in the ICI sector province-wide agreements covering a particular trade, be it the labourers, the drywallers or the masons, and you can go on, but in the residential sector you very rarely see a collective agreement that will cover more than a geographical area, and the board is broken down into geographical areas for the residential sector.

In Simcoe county and the district of Muskoka, they're covered by board area number 18. So you would have a collective agreement dealing with residential construction covering that particular area. What this is designed to deal with is that collective agreements that would expire in a particular board area would expire all at the same time. That's what happens in the provincial agreements for the ICI sector. They'll all expire at the same time, and at that point in time negotiations begin for all the trades across the province to deal with their collective bargaining in the ICI sector.

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The wrinkle that came in place is that there was a review of the construction industry back in the late 1970s in terms of trying to make the construction industry much more efficient and to get away from the labour strife that was happening within that particular industry. That's why in 1980 we moved in the ICI sector to make it a province-wide approach, because what was happening for the ICI sector is that you would have collective agreements that were based on a particular geographic area. They could be expiring at one particular time for a particular company with this particular trade, and in another zone you're having an agreement expire at a different time. So to bring some uniformity with respect to the trades and to minimize the disruption that was happening out there, what was put in place in 1980 was the provincial bargaining structure which you find under the industrial, commercial and institutional sector.

What happened, though, for some companies, and we'll call them general contractors—as everyone knows, a general contractor is the contractor that works with its client to build the project, be it a building or whatever. We'll use that as an example in terms of a commercial building. That general contractor will contract out the trades, and those particular trades will help complete the project under the supervision of the general contractor, and obviously an architect would be involved in that.

But what happened in the industry prior to 1980 is that the general contractors would be entering into voluntary recognition agreements. In other words, they recognized the bargaining rights of that particular trade for a specific geographic area, be it all of Ontario or be it just for a geographic area. They were doing that even though they may not have had any employees for that particular trade, just to buy into some labour peace.

What happened is that those agreements, which have force of law, were in place prior to 1980, when the provincial ICI structure was set up. What you would find, where the regulation is dealing with this, is that after

1980, these companies, even if they didn't employ any employees, given the fact that they were a part of the province-wide bargaining structure for that particular trade, were bound to the collective agreements for that particular situation, whereas a company that commenced operation after 1980, that came into the province or was started up within the province and was certified for, we'll say, labourers, would be certified under a province-wide agreement for all ICI work in the province for the labourers. That doesn't mean they're covered for other trades. But for any other trade you would either have to have a voluntary recognition agreement or be certified up at the labour relations board. So there was a distinct advantage put into place for those companies from out of province or in province that went into business after 1980, whereas those companies that didn't employ anybody were still bound in terms of dealing with the agreements they had signed for the pre-1980 period.

What this regulation will do is permit—by regulation, it will deem the bargaining rights held by an employee bargaining agency and affiliated bargaining agents to have been abandoned with respect to an employer or a class of employer where the bargaining rights were acquired as a result of the employer or employers in the class having been party to a voluntary recognition agreement with a council of trade unions that was made before 1980.

It's a fairly complicated area, construction industry labour relations, but I think that what they're trying to achieve here is competitiveness for those companies that were involved in those situations prior to 1980, when we brought in a totally new regime for province-wide construction labour relations for the ICI sector. That is something that is just common sense in terms of those companies being able to operate in the most effective and efficient operation.

There has been support, and the Bill 69 regulation-making power will allow specific general contractors—that's all we're dealing with—to be removed from their working agreements outside of board area 8, which is the greater Toronto area. The bill includes a competitiveness framework for the ICI sector in allowing for flexibility within province-wide agreements, so this allows specific general contractors out of a specific geographical area, which is the GTA, to be able to enter into working agreements that will make themselves more competitive.

That's something the construction labour relations industry went through in the early 1980s. What they found was that, because of inflation, because of rising costs, because of the recession that hit in the 1983-84 period, the rates that had been ratcheted up over good times were making the construction industry uncompetitive, unaffordable. There was a solution reached between the trade unions, particular provincial trades, and the industry to ratchet down those rates by the trade so that we could see that the industry would move in the right direction in terms of making construction affordable again. That was a solution that was reached between the parties voluntarily, much in the same way that this was

reached by the efforts of the Minister of Labour to bring the construction unions together with the construction companies.

All Bill 69 does is establish a framework to make the residential sector more responsive to consumer needs and to the needs of the trade union workers and the companies, to make sure there's an end point where they can get back to building houses and stop the labour negotiations that will perhaps exasperate because one trade's playing off another with respect to dealing with their negotiations. If you've got, for example, all your trades in place and the roofers decide they're going to be the last one to go out and you're at that point where you want to finish the house because you need the roofers, you're going to be in a heck of a position. Same thing as if you're in the position where you want to do some framing and the framing union's out and you can't do any framing, that stops the construction that's going on. It can affect other construction trades and that type of effect is not good for the industry because the consumer's going to be impacted, the construction company's going to be impacted and also the other trades that are relying on that trade to settle are impacted.

At this point I'm going to discontinue speaking on this bill. I know the member from Northumberland is very anxious to join in the debate, but I know that we're under rotation so I'm going to cease at this time.

The Acting Speaker: Further debate?

Mr Bartolucci: I'm pleased to rise and offer my insights into this legislation, or certainly this time allocation motion, which I am against, and let me say that right from the outset.

I don't believe a bill of this importance should be time-allocated at this point in time, because the reality is, we have only begun to get to the meat of the problem and now the government wants to time-allocate this bill. There are severe problems with this legislation, and you know, I have a lot of respect for the Minister of Labour. I consider him to be a friend both in and outside of the House and he asked for us in the opposition side to offer some concerns we had with the bill. Certainly the concerns I have with the bill now are the same concerns that I had when the minister first introduced this legislation.

There are problems with the naming issue. There are problems with the key person provision. There are problems with the fact that this legislation really does, in effect, limit, if not destroy, the collective bargaining process. I'm going to try to outline some of these as I go along in the brief time I have.

1610

The Minister of Labour, in answer to a question by the member from Hamilton West earlier today in question period, said that to his knowledge the eight generals are not happy about Bill 69 at this point in time. Certainly I have to tell you, and the minister knows, that unions are not happy with it either. He is in receipt of a letter from Pat Dillon. I'm going to spend some time talking about Pat Dillon a little later on and outline to the people of Ontario who Pat Dillon is, because I think, as business

manager for the Provincial Building and Construction Trades Council of Ontario, he is a very respected and level-headed individual. He has some concerns, and he has outlined those concerns for the Minister of Labour, with regard to unions that are vehemently opposed to this.

What we have now are general contractors that don't like Bill 69, unions that don't like Bill 69 and opposition parties that don't like Bill 69. The reality is, nobody in the industry or in Ontario likes Bill 69, with the exception of the government. Because the government likes it, it's going to become law. I find that wrong. I don't think we're governing in the best interests of Ontario when, because they who form the majority on the other side, the Conservative government, think it's good legislation, it should be passed, when even the eight general contractors we're talking about are still not happy with this legislation and when almost every union, civil and non-civil, is opposed to the legislation.

I think it's very important that the government admit there are serious problems with Bill 69, that it creates more problems than it's going to solve and that it will, even once passed, create havoc in the industry and with the economy of Ontario. When you couple that with Bill 139, which we're going to be debating tonight, I think we have severe problems in Ontario when it comes to labour and management relations and negotiations between the two.

I don't want to stray off the points I want to make with regard to the mobility issue and the naming issue. The minister referred to areas such as Sudbury, Sault Ste Marie and Windsor. I think it's important for the people of Ontario, for members on the government side and especially the students who are in the audience to understand that government should be about fairness. The reality is that Bill 69 is not fair to people in the construction industry who live outside district 8. In fact, it really punishes them severely. If you're a construction worker, whether it be a bricklayer, an electrician, a sheet metal man, a plumber, a pipefitter, whatever trade in the construction industry, and you live in Sudbury, Sault Ste Marie, Windsor, Hamilton, Ottawa or any area in this vast, beautiful province outside district 8, which for our purposes is the greater Toronto area, your chances for work in the construction industry are limited.

That is a concern to me for my community. Our bricklayers, carpenters, drywallers, plasterers and electricians haven't been working over the last several years, because the economic boom that is taking place in southern Ontario has not reached northern Ontario yet. Hopefully it will, and thankfully we're all working to that end, but the reality is it hasn't reached there yet. So our construction workers have not been working.

This bill, when passed, will allow general contractors, combined, to either bring in or name 76% of the workers who are going to work on a project in Sudbury, Sault Ste Marie, Windsor, Hamilton, Ottawa—it makes no difference. I don't think that's good for the workers in these areas. I don't think it's right that general contractors who

live and pay taxes in Toronto should come up north or to southwestern or eastern Ontario and bring 40% of the workforce with them, in effect putting 40% of construction workers in those areas outside district 8 out of work with no chance of working at all. I believe that's a form of discrimination. I don't believe it's intended discrimination as such, but it ends up being discrimination.

That has a trickle-down effect, because if you're only going to allow your business agents, business managers or unions to name 24% of their workforce, I'll tell you who's going to be out of work: it's going to be the older workers, the younger workers who are only beginning, those who can't lift a 12-inch block as well as they once did. They are going to be bypassed.

Right now there is a fairness in the system, in the hiring hall method. There is a fairness so that all workers are given an equal opportunity to work. I believe that is one area that's very wrong in this legislation. Whether it be by design, the reality is that this legislation ends up being a union-busting type of legislation, because it really does take away the effectiveness of unions in the construction industry with regard to what and how they are able to negotiate their contracts. Unions will not be able to negotiate better terms and conditions for their members any more. Forget that; it's gone. I believe the bill is explicitly designed to reduce the presence of unions, not only on construction sites now but the effectiveness of unions in the future. I suggest to you that that's not right as well.

The key person provision: although there was some movement, clearly there wasn't enough movement and there is still a major problem with that.

The Minister of Labour suggested that we should make concrete suggestions. He doesn't explain that in the process—I was the critic for labour at the time—I gave the minister and the committee 71 pages of recommendations, all of which were abandoned by the government and most of which the government wouldn't allow us to introduce because there was time allocation at the committee level at that time. In fact, there was only one suggestion they adopted. I believe the legislation could have been acceptable to unions and the general contractors had those recommendations been allowed.

I want to end my time simply by quoting from Pat Dillon. Again, Pat Dillon is the business manager for the Provincial Building and Construction Trades Council of Ontario. He is a man the Minister of Labour has worked closely with on this legislation. He is a man who I think is respected on all sides of the House and in the community. Here is what this very knowledgeable and fair individual is saying.

“On Friday November 10 ... representatives from construction local unions across the province met to discuss these most recent attacks on construction workers specifically and on working people in general.

“I must be blunt with the minister, in all my time in the construction industry, I have never seen the kind of resentment and anger directed at a government of any stripe as I witnessed last Friday. ... There was an

overwhelming sentiment to send the government a strong message about these continuous attacks on working people.” He ends by saying, “I fear that these continued attacks on unions and working people will lead to instability in the workplace and will eventually wreak havoc on Ontario’s booming economy.”

If for no other reason, we should be listening to Pat Dillon, we should be listening to the building trades unions across this province when they say, in all sincerity and with all due respect, to the government, the minister and the opposition parties, these attacks on working people must stop. That’s how Mr Dillon ends the letter. He is respected in the industry, he is respected by the opposition members, by his peer groups, and certainly I would hope that the government would respect his wishes, avoid havoc, avoid destroying this booming Ontario economy and withdraw Bill 69.

1620

Mrs Leona Dombrowsky (Hastings-Frontenac-Lennox and Addington): I’m very sad that we are here again in the Legislative Assembly debating another motion to close debate on a very important piece of legislation that will have a significant impact on many people in Ontario and certainly on many people in my riding. Over the course of the last week, I took the opportunity when I was in my riding to visit with a number of people. I’ve tried to make it my business to be in touch with people who would be impacted by some of the topics that we talk about here in the Legislative Assembly. Last Friday, I had the opportunity to speak with some union representatives in my riding and I asked them about their understanding of the changes that have been made to Bill 69. I see myself as the voice of the people of my riding and the advocate for the people in my riding and I certainly wanted to understand what their position would be.

The Minister of Labour, earlier in his comments with regard to this motion, indicated and pointed at us on the other side of the House and said, “The opposition believes they have to oppose this simply because they’re the opposition. That’s the only reason why they stand up here and speak against legislation that we’ve put forward.” I think it’s regrettable that the minister was not able to say, “This is good and this is sound and this is supported by the partners in the construction industry in Ontario.” In fact, it’s quite the opposite. The minister has not been able to say that. I would suggest that every stakeholder, every partner group in the construction business in Ontario has problems with this legislation, and yet the minister points at us and says, “Oh, you just oppose it because you’re the opposition.” That is not the case at all. I’m speaking against this legislation because I’ve talked to my constituents. I’m telling you what they’ve told me. They don’t think this is good legislation. They don’t believe that our communities in Ontario—certainly communities in my riding—are going to be better off because of the passage of this bill. I want the minister to be very clear on that. That is why I’m standing in this Legislature today and speaking against it.

The minister would know as well that I’m not making this up and I’m not misreading or misrepresenting what I heard when I spoke with those union representatives. I have here with me a copy of a letter that was sent to the minister by Mr John Telford, who is the business manager of local 221. He’s the president of the Quinte-Saint Lawrence Building and Construction Trades Council and president of the Ontario Pipe Trades Council. This person is a representative of union members in my riding and he wrote to the minister on September 28 of this year:

“Dear Minister,

“Let me begin by introducing myself to you. My name is John Telford and I’m the business manager of Local 221 of the United Association of Plumbers, Steamfitters, Welders and Apprentices. I represent approximately 500 members and their families in eastern Ontario.

“The purpose of this letter is to clarify any misconceptions that you may have about who supports and does not support a third reading of Bill 69....”

“Mr Minister, I say to you that gutting collective agreements, lowering safety standards and abandoning apprenticeship training has never reduced the cost of construction in any geographic area that this agenda has been put forward....”

“Mr Stockwell, the removal of 1:4 from the act is not the answer to some of the minor problems that exist in the construction industry. Double-breasting has never proven to lower the cost of construction, it only leads to poor workmanship and high rates. The cost of construction in Ontario is lower than Alberta, British Columbia, Saskatchewan and New Brunswick, all provinces that allow double-breasting.”

The member from Barrie-Simcoe-Bradford a few moments ago presented to this House that one of the reasons why we should consider this legislation, why we should consider allowing the practice of double-breasting, is to improve the competitiveness within the construction industry. Here we have, from union representatives, the fact that in those jurisdictions that do allow double-breasting construction costs are not lower than in this province. On what information do you present that by now allowing it in Ontario our construction costs are going to somehow be reduced? I haven’t seen anything conclusive put forward by the minister. Here we have people who work in the field, who are very much in tune with what is happening in other parts of the continent, who very clearly have indicated that it is not going to reduce the cost of construction.

He goes on with examples and I’d like to share those with the members of this assembly. He provides for the minister two examples of construction costs in Ontario compared to construction costs in other areas. He talks about Celanese Canada, which “in 1996 completed a \$180-million expansion in the Kingston area. The job took approximately 17 months to complete and was 15% under budget. The parent company built an identical plant in ... North Carolina (a right-to-work state). The

two projects started at the same time and even with the Kingston job being built through two Canadian winters”—which should, one would expect, make that project a little bit longer— they were up and running their plant in Kingston “six months earlier and \$15 million to \$20 million cheaper in direct construction costs.” That was in my riding. That happened in my riding. These are facts.

Another example: this same situation occurred in 1989-90 with the Goodyear Tire expansion in Napanee, Ontario. I might add that both projects had 100% union craftsmanship.

Mr Telford concludes his letter to the minister:

“In closing, Mr Stockwell, I do not think that the industry committee or the EBAs have the legal right to alter any collective agreement without the approval of the affected parties. I liken this to having the clowns in the circus voting to remove the safety net for the high-wire people to save Barnum and Bailey money. I urge you to listen to the people whose lives and families will be affected by this type of regressive no-respect legislation.”

It is signed by John Telford, who is the local manager.

A couple of points I would like to conclude with, that for me are very important, relate to safety. Certainly the critic for our caucus has made this point and it's a great concern of mine. I know these people who work in the construction industry in this province, and certainly those in my riding, and I'm concerned for their safety. I fear that when this legislation may become law, it is going to compromise the safety on construction sites. Those are people I meet and greet every day. They live in my town, in my community. I don't understand—we know statistically it can be demonstrated that non-union construction companies have a higher incidence of accidents than unionized construction sites. That can be demonstrated; that is a fact. I cannot support a piece of legislation that is going to allow non-union construction companies to become very prolific in this province when I know that people who work in a non-unionized construction company have a greater risk of encountering an accident.

1630

I suggest that has been one of the great coups, one of the great accomplishments, of the union movement in this province, that they have built a safe industry, because we know in the construction industry there are great risks and people who engage in those trades are in a high-risk trade. But when the trade is unionized, we know the incidence of accidents is much less. That's a great concern of mine. I believe the people of Ontario deserve every safeguard that we as legislators can provide to ensure the safety of the people who go to work and build our towns and our cities, who build our industrial sites, our commercial sites, our institutional sites. That, to me, is of great importance.

So very sadly I speak again to a closure motion on a very important topic. I speak against it not just because I'm a member of the opposition; I'm speaking on behalf of the people who have elected me, the people I went out

and visited. This is what they're telling me. This is what they've told the Minister of Labour. Would you please listen to the people of Ontario?

The Deputy Speaker (Mr Michael A. Brown): Further debate?

Mr Christopherson: I appreciate the opportunity, limited as it is, because this is a time allocation motion meant to close down debate, end discussion. I believe at the end of this anybody who has followed along would ask themselves, “There seems to be a lot of controversy left. Why are we shutting down debate on this? Why is it being rammed through?” But then we've asked that question about virtually every piece of legislation of importance—certainly those that are very controversial—that has come through this place.

I'm not going to spend a lot of time, because I think that's what the minister would like, but I want to just take a moment to comment on the approach that the minister has taken. Again, and I've said this often and I see no reason to change that, I have a great deal of respect for Mr Stockwell as an individual, as a parliamentarian, and his inherent skills. But I have to say that I felt very insulted, and I thought it was beneath him as a minister to spend such a considerable part of his time suggesting that any opposition whatsoever must be born out of either ignorance, foolishness, or, “You're just the opposition, so you're going to harp anyway.”

I think anyone who participates in discussing this bill deserves a lot more respect than that. Rather than spend a whole lot of time defending my right and the right of Mr Moffat, whom the minister felt comfortable raising in this place and using as some kind of example—I don't know. Was that supposed to be some kind of threat that let all the labour leaders know that, “If you speak out too much or too effectively on behalf of your members, I'm going to raise your name in the House, in the place where you have no opportunity to fight back, and I'll do what I can to damage your reputation”? Was that the message? Was that the point? I don't know, but it was very unseemly for the minister to isolate one representative, Mr Moffat, in that fashion.

I think it's important for everyone to participate, and those who do participate deserve respect, whether you're on that side of the House or on this side of the House. To suggest that, “There can't be any good reasons because I've decided that this is fair,” is insulting at best.

It's interesting, because before my opportunity to speak came up I was going through the Hansards of the first time we went around with this bill. The approach then was somewhat similar in terms of, “How could you be opposed to something that I think is fair?” But during the discussion there was also a suggestion that this Tory labour minister was the only one who cared enough about working people to bring in such a bill. His tactic has changed a little bit today, but the nonsensical nature of the argument is equal nonetheless, because now he's arguing that, oh, he's been so betrayed by the labour movement, by the construction workers' representatives. He's been hurt, he's been wounded, he's been betrayed.

How could they do this to him, a guy who's there only to help working people?

And we heard his response to a question in question period today, where he actually said—and I suspect he will rue the day he made that statement, because I think it will be dragged out time after time, and rightly so. He stood in his place and said that the best thing that ever happened to working people was electing this government.

Now, he got a round of applause, just like he did now from the Premier in waiting, but you know—the cameras don't show it all—there were an awful lot of members of the government side who were feeling pretty sheepish and thinking, "Even for us, that's over the top."

Interjection.

Mr Christopherson: But while I hear from the Premier in waiting that that's the strategy—and it may very well be—the point is well taken, Minister, that it's all about strategy, ploy, communications. What it is not about is working people, their families and their communities, because if it were, we would see labour legislation in this place that improved the wages and benefits and health and safety of workers. Then their families would benefit and their communities would benefit. But that has yet to happen with this government.

There's a letter from the building trades, dated yesterday, signed by Pat Dillon, the business manager and secretary-treasurer of the Provincial Building and Construction Trades Council of Ontario, that was sent to the Minister of Labour. It reads, in part, "On Friday, November 10, 2000, representatives from construction local unions across the province met to discuss these most recent attacks on construction workers specifically and on working people in general. Those in attendance directed the enclosed letter be forwarded to you to express their concerns on the actions of your government. I must be blunt with the minister. In all my time in the construction industry I have never seen the kind of resentment and anger directed at a government of any stripe as I witnessed last Friday."

You have to ask yourself, if that's the response from the democratically elected representatives of construction workers in the province of Ontario when the Minister of Labour is saying this is so good for working people, that it's going to make things so much better, that they're suddenly going to have all these jobs and everything's going to be terrific—with him saying that and the president of the building trades of Ontario making a statement like, "I have never seen the kind of resentment and anger directed at a government of any stripe as I witnessed last Friday," it begs the question, why is the government doing this? Their argument is because it's for the benefit of the workers. And yet I just read what those very workers have to say about this bill. So what's the real motivation?

I want to offer a couple of suggestions, because the argument the Minister of Labour is giving doesn't hold water. He likes to be ever so rational and reasonable. That's part of what he was trying to do earlier on before

he stumbled so badly. Have you ever seen a bill, other than your Planning Act, that was so screwed up in terms of, "Yes, we're going to have third reading," "No, we're not going to have third reading," "Yes, we're going to have third reading," "It's scrapped," "No, it's not scrapped"? What have you got, an elastic band attached to this bill, you try and throw it in the garbage and it just keeps coming back?

It has been mismanaged beyond belief, but to hear the minister speak, again, to make the point, he says it's for the workers. The workers say, "We don't want it." So why is he doing it? What's the real reason?

1640

I want to make reference to an article that Ian Urquhart wrote on March 15 this year, and I referenced this during second reading debate back in May. Mr Urquhart wrote, "But the unionized general contractors are holding out for an unfettered right to double-breasting." Again, since a lot of these terms have already been defined by previous speakers, I'm not going to use up my valuable time doing that. I'm going to go on the assumption that people know the issues and know what it is we're talking about and what we're looking at here is these issues as they're at play in this bill.

To start again: "But the unionized general contractors are holding out for an unfettered right to double-breasting. The chief spokesperson for the general contractors is Geoff Smith, president of Ellis-Don, the firm that built SkyDome and the Toronto-Dominion Centre."

Mr Steve Gilchrist (Scarborough East): Very good Liberals.

Mr Christopherson: Very good Liberals, absolutely. Thank you, you're helping my point. A little more?

Mr Gilchrist: He's the president.

Mr Christopherson: There you go. He's the president of the Liberals. Anything further? No? All right. If you think of anything, just let me know. I'll stop and give you the room, because you're being very helpful and I do appreciate that greatly.

Mr Gilchrist: We always try.

Mr Christopherson: I know you do.

"Smith's mother, Joan, was a minister of the Liberal cabinet of the 1980s and his father, Don, was the chief Liberal bagman. But in last year's provincial election, Geoff Smith switched sides and headed up a body called 'Liberals for Harris.' Smith says he was motivated by fiscal concerns and not a desire to gain influence with the Tories on labour law changes.

"Whether or not Smith was seeking a position of influence, he seems to have attained it. Earlier this month, he got in to see Premier Mike Harris on the double-breasting issue. Stockwell was not present."

So my first suggestion as to what's really going on here, since the explanation offered by the Minister of Labour holds no water, is that this is political payback, because the biggest winners in Bill 69 are the eight general contractors whose chief spokesperson is Geoff Smith, who, as the government backbenchers have

helpfully pointed out, is a big-time Liberal who switched over and headed up a group called "Liberals for Harris." I have to believe that he was very helpful, because he got in to see the Premier, mano-a-mano, without the Minister of Labour, the very minister who says the reason this is being brought in is because he wants to help workers. So it's payback—political payback. They helped you; you help them. They helped you; now you're going to help them. At least come clean. I didn't say there was anything criminal. I'm just pointing out motivation.

We get support from people who believe in protecting the environment, and when we form a government we bring in real environmental protection and you can say that is political payback. Fair enough. We'll be upfront about that. Environmentalists like the idea of laws that protect the environment, and when you bring in laws that do that, those supporters, those environmentalists are happy. If you want to call that political payback, go ahead. But at least we're upfront about it.

You deny that this is what's going on. That's what makes it an issue. You deny it. You come up with this nonsense about your rationale, that your reasoning for doing this is to help working people. It's not, because it doesn't help working people. That's motivation 1.

Motivation 2, linked but a little more detailed: The Mike Harris Tories from 1995 to the present have received \$12 million in corporate donations. Again, nothing that I'm aware of is unlawful here. But we dig a little further and start saying, "OK, what's the political payback? Who wants what? What do they get out of it?" I think it is a lot more honourable that the environmentalists in the scenario I mentioned earlier have as a win protection for the environment, an opportunity for our children to be raised in a healthier environment.

Here it's about greed, because the big winners in Bill 69 are the eight general contractors. By the way, of the \$12 million in corporate contributions—and by the way, it is at least worth mentioning that this government changed the election laws and the election financing without the support of all members of this House, which had always been the way in the past, so that corporations could increase by 50% the amount of money they can contribute to the political party of their choosing. How convenient. Of that \$12 million in corporate contributions, over \$107,000 came from the eight general contractors who, I submit, are the big winners in Bill 69.

The minister wants to be fair and reasonable and asks people to stand back and look at things objectively. I agree. I ask people to take a look in terms of why this bill is even here and ask yourselves which argument rings true in your gut: the one from the government that says they're only doing this because it is in the best interests of construction workers when we know that the democratically elected representative of those workers is on the record as saying they are totally opposed; or a recognition that the eight general contractors have a person representing that group who used to be a key Liberal, family ties, deep Liberal roots, heads up an organization called Liberals for Harris?

Then we find out that these eight general contractors have contributed \$107,000 to the Tory coffers. That argument says this is about political payback for your corporate friends and has nothing to do with workers other than the fact that they are collateral damage in the process of your paying back your debt. I leave it to the people to decide which argument, which motivation, which scenario rings of the truth as you know how the world operates.

Just a few thoughts before I touch on the bill. First, I've got to give credit. Mr Stockwell is a clever individual. By questioning our motives for opposing this, he does attempt to mitigate our effectiveness in offering criticism and problems and difficulties with this. But when he says that all we are going to do is keep standing up, talking rhetorically about a gun to the head, he is attempting to have us back away from that argument because that's exactly what he'd like.

In fact, if you read the Hansard from the second reading debate, you'll find that the minister didn't even acknowledge that he threatened to remove 1(4), the heart and soul of giving construction workers their democratic rights to a fair collective agreement and a fair bargaining environment. He denied it the first time around. Check the Hansard. Both he and his parliamentary assistant—in fact, the minister is quoted in the Hansard as talking about conspiracy theories abounding. But it needs to be talked about, it needs to be said.

1650

Again, keep in mind this minister said this bill is good for working people and that's the only reason he brought it in, and it's a fair compromise. You know, compromise is reached between equals. There was nothing equal about the power relationship between the minister and the labour leaders involved. The minister himself today admitted, "I can eliminate 1(4) any time I want. We got the numbers. We could do it." That's exactly what he told those labour leaders. He said, "I want this resolved," again, my opinion is, because he was in the process of political payback. He'd been given marching orders from the Premier, and the Premier said, "Fix this. I want that political debt paid to these eight general contractors. We owe them big time, and I want you, Stockwell, to make it happen." So the government called in these labour leaders and said, "Either we find a compromise or I remove 1(4)." That is not rhetoric, that is not to be ignored. That is a significant action on the part of a minister of the crown, and yet that's exactly what he did. In fact, there's a quote later on where the minister acknowledges that 1(4) is back on the table. Note the words, "1(4) is back on the table." It can only be back on the table if it was there the first time. In my opinion, that's an admission that that's exactly what happened.

Ask anybody who was in that room—the government rep, the employer rep, or worker rep—whether 1(4) was being used as a threat. I believe the answer is every one of them would acknowledge, "Yes, that's what was going on." If you sift through enough of the quotes said here and in scums, that becomes pretty apparent. That is a

significant point, because it speaks to why those labour leaders would even sit down and discuss anything to do with Bill 69, let alone possibly support it. It makes a huge difference.

The labour leaders didn't just phone up Stockwell one day and say, "Hey, what do you say, Minister, we start ripping apart a few of our members' benefits and rights? We think that'd be a cool idea. What do you think? Can we get together for lunch and talk about it?" The only thing that brought them to the table, the only thing that kept them at the table was that they were faced with a doomsday scenario. Believe me, having seen what happened in Alberta, where they did the equivalent of removing 1(4) and you see what that has done to construction workers' quality of life, their wages, their benefits, the health and safety on construction sites, and you could see pretty clearly why the labour leaders were seriously concerned, to put it very mildly, about what the threat of removing 1(4) would mean, not for them as individuals; but for their union, for their union members down the road. An extremely significant part of why this whole ugly scenario has unfolded is because that threat was real and it had its desired effect.

It's interesting, the minister said today during his comments—I haven't seen the Hansard, so I won't quote him, but certainly to paraphrase the minister, he said he was going to bring in regulations that would allow them to remove the eight general contractors from the unionization, which the minister characterized as being achieved "through the back door." Interesting. If it was a ruling by any other quasi-judicial body that he supported, that would have been a bona fide decision by a quasi-judicial body that had every right, having considered all the merits of the matter in front of them, to decide and to implement. But since he didn't like it, or at least his eight contractor friends who hold the IOUs don't like it, he chooses to characterize it as "through the back door."

He says that these regulations will allow them to be relieved of these obligations. What that tells me is that when we get to committee, there isn't going to be much of an amendment in terms of words. I'm willing to bet you right now that unless there are a lot of other minor matters that they haven't yet talked about and they'll just say are nothing, and may or may not be something; I don't know—I suspect, based on what he just said today, my first reaction to that is that this is going to be a pretty straightforward amendment, which is consistent with what the minister said before we broke last week. But its implications are incredible, because what it means is we don't know what the changes are to the bill until the regulations are passed. Will those regulations come before the House? No. Regulations don't come here, as we know. As many of us have pointed out time and again—and I don't expect that people would get all excited about it, but for those who understand and watch and participate in the parliamentary process as we have it here, the number of legal matters that have been removed from the floor of this Legislature in front of reporters, in front of the cameras, in front of the public, and into the

cabinet room has been mind-boggling, because there are no cameras in the cabinet room; there are no reporters; there's no opposition. You just make decisions and the world is informed afterwards.

So we don't know what's going to happen. If the amendment comes down and it just says that the bill is amended to give the minister the ability to make regulations with regard to blah, blah, blah, what it means is, in effect, that they're writing themselves a blank cheque. They can implement these changes any way they want. The committee, even for the measly half a day that we're there, won't be able to analyze it until after they've been signed, sealed and delivered into law by virtue of regulations, not legislation.

That is so significant, because at the end of the day it means no one gets a say in what that wording is. It may indeed be limited to what he says, which is bad enough, but it could go further. We don't know. Our only comments, all of us who aren't in cabinet, can come after. That is extremely significant.

I want to mention too, because I think it's very telling—again, I'm just going from the comments that the minister has made in the House here today. During the course of his discussions, when he was arguing why Bill 69 is such a wonderful opportunity for workers, he said that province-wide bargaining as it's now conducted under the existing legislation doesn't allow for the recognition that there are different things happening in different communities, that there are different economies, perhaps different wages, perhaps different needs. Speaking to the differences, certainly we have enough extremes, if you look at some of the northern communities and what their economies are comprised of and how well or how well not they are doing—I'm sure that's grammatically correct—versus, say, Toronto. As a factor, just as a stand-alone point, he makes one.

1700

I don't believe it's enough of a point to justify what he wants to do in Bill 69, but I raise this because it's interesting, particularly for those of us in Hamilton, when there are 40,000 kids not in school as a result of a lockout of 2,300 elementary teachers—with the school board trustees, I might say, saying in writing to the Minister of Education that they can't resolve that strike, that lockout, based on the—in my words—reasonable demands that the teachers have put on the table, without affecting either the number of teachers or programs or supplies that are provided to those students, and they're calling on the minister to step in. That's the scenario that's going on in Hamilton.

I raise that because it's the funding formula that the trustees are saying is hampering their ability to negotiate an agreement with the teachers. And your funding formula is based on what? Equalized funding: every community gets the same dollars per student.

If you check the Hansard, your reason for doing this was the exact opposite of the argument the Minister of Labour used today to justify attacking the way province-wide bargaining is done in the construction industry. So

the ministers ought to get together and get their lines straight. Either it's good or it's bad, but you can't have it both ways, and that's the way you've done it.

I don't want to leave this debate without joining with my colleagues who have raised the issue of accident rates. It is significant that the result of Bill 69 is more non-union contracts being awarded. That's the result. The minister is quoted as saying, "Let's be clear about this: wages are going down." That's only going to happen if there are more non-union contractors in the field. I'll talk about the competitiveness issue in a moment. Bill 69 means more non-union construction sites. The statistics from the Ministry of Labour show that you are two and a half times more likely to have an accident if you're a construction worker on a non-union construction site than a union construction site. That means Bill 69 will result in more injured construction workers.

How do you justify that? Oh, they won't say it here, but the real reason: bucks. It's all about money, all about bucks and political payback, and then when the political payback happens there are more bucks contributed, and when there are more bucks contributed, there's more political payback. And when that wheel isn't big enough, you change the law so that corporations can make bigger contributions, so we've got bigger dollars going in and then bigger political payback, and on and on it goes.

The only problem is, this isn't a game. It's not a game. This is real people who are going to be hurt. And you know what? You might be related to one of them. There are people who are going to be hurt, some seriously, some permanently, for life. Some may die because of what you're doing with Bill 69. I'm sure the minister right now, if he is watching this, is rolling his eyes, but that is the result of moving to construction sites that have two and a half times more accidents. Shouldn't you be taking measures that go the other way? Shouldn't you be taking measures that give us safer workplaces, safer construction sites, rather than more unsafe construction sites?

I want to talk a bit about the bill. I will ignore the minister's personal insults. I'll assume that it was—I don't know why he did it, to tell you the truth. It's very unlike him, unless he was just trying to provoke, but even then he doesn't normally stoop to such gutter-type tactics. He's usually a bigger person than that, certainly as a minister, but I'll leave that to him.

One of the things I want to talk about in this bill—and believe me, there's lots and lots to talk about, but let's keep in mind that these are actions that were put on the table as a result of threats of something even worse. Any tacit approval those labour leaders gave at any point in this negotiating process, if you want to call it negotiations, is as a direct result of that threat and not because any labour leader thought anything in Bill 69 was good for workers.

Under market recovery—you've got to love it; a nice phrase, "market recovery"—subsection 163.2(4)—this is an interesting little game we have here. This is all about competitiveness. Of course the government is arguing

that their friends, the eight general contractors, can't be competitive because there are so many non-union contracting firms bidding on jobs. So the simple Tory answer, the simple Mike Harris answer, is, "If we've got a competitiveness problem, then the way we solve it is, lower those workers wages, lower their benefits, take away whatever rights might inhibit the ability of the corporation to make more money." It's always down; the race to the bottom. How can we help the corporations maximize their profits in the easiest way? Just lower those wages. Why do you think they haven't raised the minimum wage? Partly because they don't give a damn, but secondly, they don't want anything that takes wages upward. They don't believe in that.

We might argue, reasonably, I say, and fairly, if you want to solve this problem in one of the richest countries and provinces in the entire world, you do it by helping those who are making less make a little more. There's enough money being made on the corporate side for this to be done; not as much as some would like, obviously, but profits have never been so high. And Bill 139 gives another benefit to the banks. We'll get to that bill tonight, as a matter of fact. Billions of dollars in profits and you decide you've got to step in and help them out.

1710

When it comes to competitiveness, why aren't you making sure that construction workers understand that by joining a union, statistically they'll make more money, they'll have more benefits, they'll have more rights, and the odds are two and a half times better that they're going to go home at the end of the day? Why don't you promote that instead of promoting how people could decertify their unions? But that of course is heresy to this government.

Their approach is, "How can we find a mechanism that lowers wages but doesn't exactly have us admit that's what it's doing?" even though the minister is on record as saying, "Let's be clear, wages are going down." It's a little bit of a faux pas, but they all make mistakes from time to time. So they come up with this market recovery scheme. What it says is that if a contractor, an employer, believes they are at a competitive disadvantage, they can make application to a third party, an arbitrator, who will decide whether or not there need to be adjustments, which, by the way, can only go down to the collective agreement.

The minister, by the way, when he was asked about this, said, "All that is negotiated is the cost of labour." Listen, and you decide if you agree with the minister. Subsection 163.2(4) says:

"4) The application may seek only amendments that concern the following matters:

"1. Wages, including overtime pay and shift differentials," and benefits.

That's bad enough. It's bad enough that the law provides a mechanism where the way you deal with uncompetitiveness is not to assist others in making a little more but to take those who are making maybe a half-

decent wage and lower it. That would be bad enough, but it says more.

“The application may seek only amendments”—they throw the word “only” in and then list everything, the kitchen sink included—“that concern the following matters,”—and I read the first one.

“2. Restrictions on the hiring of employees who are members of another affiliated bargaining agent that is in the same employee bargaining agency as that in which the affiliated bargaining agent is a member but who are not members of the affiliated bargaining agent.”

It's confusing. Bear with me.

“3. Restrictions on an employer's ability to select employees who are members of the affiliated bargaining agent.”

That speaks to the matter of name-hires, which hopefully, if I have time, I'm going to get to. What it does is it restricts an employer's ability, if there's a restriction on an employer's ability to select employees who are members of the affiliated bargaining agent. Under your law, we're already going to see up to 76% name hire. That means people who have lived and invested their lives and their efforts in local communities like mine in Hamilton, and Sudbury and Windsor and Cornwall and right across the province, are not going to get work that they would be entitled to if Bill 69 wasn't passed. You tell me how that helps workers and their families.

This allows that to be increased if an arbitrator determines that there is an uncompetitiveness issue here. If the employer is at a competitive disadvantage, they will have the power, through the arbitrator, to have even more rights than Bill 69 gives them, that being employers. But we're not done. There's also accommodation and travel allowances. We don't know how much of the net pay of a construction worker they will have to use out of their own pockets to pay accommodation and travel costs, which right now are covered under the collective agreement.

But under this 163.2, that can be reduced even further. Don't think it won't. This is not some sleeper clause that's in there because there may be a blue moon in the sky one day. It is there because it is going to be used. It is going to be used to lower the wages and benefits of workers, the exact opposite of what the Minister of Labour says motivates his introduction of this bill.

We are not done yet. There's still more that can be ripped out of the collective agreement through this nifty little process. “5. Requirements respecting the ratio of apprentices to journeymen employed by an employer.” We've already had Bill 55 where you've done serious damage to, if not gutted, the laws around apprentices and ratios. The quality of the profession of building trades rests so much on that ratio of how many journeymen there are to how many apprentices. It's no different than teachers in a classroom and the ratio of teachers to students.

Bill 55 wasn't bad enough. Now you're going to give yourself the ability to increase those ratios. Because it is in the best interests of the profession? No. Because it is

in the best interests of those individual apprentices who are going to be journeymen? No. Why, then? To address the issue of competitiveness.

We have the finest tradespeople in the world. You think that's something we can just play with. It won't show itself next week or next month. It is going to take a few years. It will maybe even take a generation of apprentices. But over time, the quality of the professional tradespeople that we have is going to lower. You know what? I don't think the government cares as long as there's a corresponding lowering of the wages they are paid and the benefits they get. Why? To maximize the almighty buck. And not at a time when we need any kind of stimulation, as if that would ever be justification enough, and it is not.

But that's not even what we are in. We are in the greatest economic boom in North America that we've ever had, and you want to give your friends even more money at the expense of working people. It is obscene that the government would stand up—but, you know, it has been said in history, “If you're going to tell a lie, tell a big one and tell it as often as you can.” For the government to suggest that Bill 69 is in the interests of construction workers is truly obscene.

I want to spend just a minute more talking about the hiring hall issue, because the name-hire—I don't think I have my note, but that's OK. The name-hire is about how many local workers are chosen in a hiring hall versus how many can be brought by the employer from one community to another. I've only got a couple of minutes here, but the minister has argued and I'm sure he'll continue to argue, “I don't know what you're so upset about, Christopherson and everybody else. I mean, we've already got unions that have the ratios that we are suggesting here. Some of them may even have some that are further than that.”

That's not the issue. The issue is those trades that have chosen freely—this government likes to use the word “choice.” They have chosen freely during negotiations to trade that off for something else: pension improvement, a wage increase, health and safety matters; I don't know. The point is, they made that choice. To suggest that the choice that one individual union makes for its members must be imposed on another is nuts. That's no argument whatsoever. To suggest, “We've got to make things competitive. We want to give the employers the chance to bring the very best people with unique skills into a community to work on that construction site”—we've heard that argument before. You know what that doesn't speak to, just as a stand-alone argument? It's there.

1720

Let's come back and talk about the impact on real people, on real construction workers. If your dad happens to be maybe close to 60, versus someone else who's maybe 25, and you have a free choice as an employer, who do you think is going to odds-on get picked and who's going to get left behind? What about somebody who took health and safety as an issue to heart and got really involved in health and safety in their union, and

was known and highly respected and regarded by their colleagues for the fact that they cared enough about their co-workers' health and safety to get involved? The flip side of that is, how many employers are going to make that person their first choice? The same thing with somebody who was a union steward. They've done absolutely nothing wrong. If anything, they're probably among the better employees because they've shown an aptitude for leadership and an ability to work beyond just 9 to 5, if you will, and care about their fellow workers, the broader concept of community that tends to give a more well-rounded individual. Studies show that that, at the end of the day, often gives you a better and more productive employee.

My time is rapidly expiring. The government on absolutely no front can justify what they're doing. This is about political payback. Construction workers are simply the collateral damage of this government paying back their corporate friends.

Mr Doug Galt (Northumberland): It's interesting to listen to the member for Hamilton West. He ranted on and on about paybacks and about support etc. I think he's forgetting about the tremendous support their party gets from the various unions across this province. He's speaking out on their behalf. We haven't been criticizing him for that, but is that a payback that the NDP is giving to their union friends for supporting them when it comes to elections? I would think he would probably say it isn't; no, they're just trying to be fair and the unions are supporting them. But what's good for the goose is good for the gander. I don't think he quite follows that.

I was quite intrigued with the comments of the Minister of Labour earlier, talking about holding out for big hourly rates, and then what ends up happening? High unemployment, double-digit unemployment, particularly when the NDP was looking after the government. I'm kind of stretching it that they looked after it, but they were in charge of government for a while. They also seem to think it's great to have union halls full of people who are unemployed and not working. I just don't follow that. Certainly, as I heard the Minister of Labour say, the best thing that ever happened to the workers of Ontario was to elect this government: some 800,000 net new jobs created for employees of the province of Ontario. Something like one in 10, in that neighbourhood, of the jobs out there today have been created since we took office, one of the greatest things that could possibly happen for any worker, any family. Probably the best thing we have going for us for welfare is the fact that these 800,000 net new jobs have been created and over half a million people are off welfare mainly because of the stimulation in the economy.

Of course, the member from Hamilton West would like to talk about the only reason it's happening is because of the boom across North America. A lot of that boom was occurring in the early 1990s. It was happening in BC, although when the new NDP government came into the Canadian left coast, we ended up with their going downhill long before the Asian flu came in. They would

use the excuse, "It's Asian flu." But it's about competitiveness. It's about getting out and doing a job. I just have a lot of difficulty following the rhetoric we were hearing from the member from Hamilton West.

I think of the benefit this bill will bring to homebuyers. I have heard so many homebuyers so frustrated that the house is going to be finished one month and it's not finished the next month or the next month or the month after that. Sometimes it relates to materials not being available, but back in 1998 for some five months there were constant consecutive strikes. It was a domino effect. Can you imagine the pain and suffering some of these homeowners went through when they couldn't move into their homes, all because these people were on strike and apparently didn't want to work? Actually I think the people wanted to work; it was the union leaders who didn't want them to work. What a cost it was to those homebuyers. They had already said they weren't going to rent or had sold the house they were in and had to find a place. Can you imagine the cost to each of those families that couldn't move in and the cost to construction workers? These construction workers had families at home, and for five months, because of the domino effect of these various strikes, those construction workers were not able to raise and obtain a fair dollar working where they wanted to work. There was also a cost to employers and contractors who wanted to get on with business but were unable to. It was one horrendous cost to the Ontario economy, a cost that certainly wasn't necessary.

Fortunately, there is a solution, and some of that solution has already been discussed: the fact we can co-ordinate trade agreements to all come due on April 30 and then up to a 45-day period, up to June 15, they can go on strike or lockout, whatever they think they have to do, and if they can't settle it, an arbitrator would be brought in. That's certainly the kind of thing that can be of assistance.

Certainly moving to flexibility, where an employer group can look to the union groups for a different rate—I think that would be very helpful. The member from Sudbury is concerned there's a lack of construction going on in Sudbury. Maybe the lack of flexibility that's negotiated across the province with no give and take is the reason there's no construction in Sudbury.

I look forward to getting on with this bill and being able to vote on it.

Mr Crozier: You know, it was the very last comment of this speaker that reminded me of what I want to speak to in the few minutes I have, that he wants to get on with this bill and get it voted on. That's what this motion is all about. It's all about closure again. A lot has been said on the other side today about democracy and fairness and choices. What does this motion do but simply take away the democracy that's in this Legislature, and it does it in an interesting way.

The motion we're debating—and I speak to the motion because a lot has been said this afternoon about Bill 69, and I think some of the wrap-up comments might be about it. So, in my view, enough has been said about that.

What I want to point out is that what we're really talking about is that Bill 69, having been brought to the Legislature and debated—and I could stand corrected—was probably sent to committee after second reading on time allocation. It now has been decided by the government that the bill wasn't quite what they wanted. I don't know whether this was by intent or by mistake or whether they've actually listened to somebody, but the bill was in committee and was reported by the committee for third reading. Now they want to send it back. Well, that on the surface is good, because if there is something wrong with the bill, if it was poorly drafted, then I think it's good that it goes back to committee and there is the opportunity for amendments. But there, colleagues in the House today and those who may be watching, is where the good part stops, because it's going back to committee for one day, and that is even named in the resolution. That's going to be November 16th, two days from now. It's going to be in committee for one day. Presumably, the government amendments will be put on the table. There may even be some opposition amendments to the bill, and you know and I know what happens to opposition amendments.

1730

The minister stood here today and kind of touted how, you know, when he was a member of the third party he voted for government bills. I can tell you that in seven years here, particularly since 1995, I have been in committee and I have seen the opposition propose amendments to bills and I have yet, in my experience at least, to see one accepted. That says so much to the minister for how fair and gregarious he is.

This is going to go back to committee for one day, and we all know what happens at the end of that day: clause-by-clause; the committee can even sit past its regular time. But come 4:30 that day, no matter what has or has not been discussed, it all starts to get shut down in the undemocratic way that this government handles its own legislation and our opposition to it. What will happen, as we know, is there will be no further discussion on the amendments; they'll then be put. I'd be willing to bet—and I'm going to keep an eye on this, and I've told you before that I'm not a betting person—that the government motions will pass, and if there are any opposition motions, what do you think will happen to them? They'll be defeated. I have no doubt that they'll be defeated.

There we go: it's back to committee. The government majority in the committee will handle their resolutions in a quick way, and any opposition amendments will be defeated. So there we are at the end of the day, where the committee then has to report by November 20th, which is only six days from now. So some time next week the bill has to be reported back for third reading. Then, when the government chooses to call it, the next step is one that frankly happens all too often. In fact, my colleague from Ottawa-Centre, Richard Patten, has written a paper called *Democracy in Ontario and it's really about—*

Mr John Gerretsen (Kingston and the Islands): An excellent paper.

Mr Crozier: It is a good paper, and should be read by all, because it points out the lack of democracy in this Legislature, the number of times that this government, more than any other government in the Dominion of Canada, has used closure, has shut down debate, has choked off democracy. So that's what we're going to have, come next week some time. We're going to end the democratic process, because what it says in the motion is, "One sessional day shall be allotted to the third reading stage of the bill, at the end of which time the Speaker shall interrupt the proceedings and shall put every question." We're getting used to that here. We're getting used to the fact that you really don't get an opportunity for all your members to debate the issues, because this government doesn't like to listen to debate that comes from the opposition. In fact, I've even suggested they don't like to listen to debate that comes from their own members, because their own members are shut out in this process.

I object to this resolution that's before us today. I will obviously vote against it, because it's just another notch in the old handle of shutting down debate in this Legislature.

The Deputy Speaker: Further debate?

Mr Gerretsen: I completely concur with the member for Essex on the closure motion that we have before us. But, you know, the government is getting even more arrogant than just simply bringing a closure motion to this House. It seems to me that for just about every bill closure is being invoked at some point in time to shut off debate. But it's even getting more arrogant, because there's a sentence in this closure motion that not only tells a committee what to do, but also what is deemed to have been done if the committee doesn't do it. Let me just read that sentence to you. It says that "in the event the committee fails to report the bill on the date provided"—and there's a preamble as to when that date will be, which will be sometime next week—"the bill shall be deemed to have been passed by the committee and shall be deemed to have been reported to and received by the House." So we're left with the situation now where not only are we being told in closure motions that there shall be no further debate, we are no longer being told that, yes, the committee can discuss a bill for an hour or two hours, and we are no longer being told that committee amendments after a certain period of time can no longer be implemented, but we're going one step further now. We're saying that if that happens, if the time factor has taken place, then, in effect, the bill shall be deemed to have been passed. Now, you talk about arrogance. It is November 20, which is less than a week from today. It is totally unconscionable.

I was also taken by a comment that was made by the member for Northumberland in which he basically said to the member for Hamilton, who by the way gave an excellent speech on behalf of his party on this particular piece of legislation, "Well, you guys are supported by the unions and we're supported by big business, by the construction companies, and so be it. You'll get your

chance at some point in time in the future.” Those are not the conditions under which we should be passing legislation in this House, so that one group in our society can somehow get an advantage over another group, whether they’re business, whether they’re labour, whether they’re any other group at all. Surely to goodness the kind of legislation that we should be passing in this House should be legislation that is good for all of the people of this province. It shouldn’t be based on somehow getting even with one group because of something that another government in the past may have done. That is simply and totally counter-productive.

Let me just read very quickly into the record in the few minutes I have left some of the correspondence I have received on this particular bill and to completely contradict what the Minister of Labour has said, that basically this is the best kind of compromise that could be reached in this particular case. Here is a letter from the Millwrights and Machine Erectors, United Brotherhood of Carpenters and Joiners of America, local 1410 in Kingston. We are very proud of our unionized workers and building trade councils in the Kingston area. Let’s see what Wayne VanKoughnett, who is the business representative of the Millwright Regional Council of Ontario, says—very direct, one paragraph—“The content of the following letter is of significant concern to all Canadians whether they are union or non-union. Why is the current provincial” government “trying to take away from Canadians the laws that were enacted under Premier Bill Davis that protects our rights?” Very simple: why is this Conservative government trying to wreck the legislation that was forward-looking and brought in by Bill Davis, another Conservative government, some 20 years ago?

1740

I have another letter here from the United Brotherhood of Carpenters and Joiners and it states as follows—this is a little lengthier—“On behalf of the Millwright Regional Council of Ontario, I am writing to express our absolute opposition to Bill 69”—unequivocal, absolute opposition to Bill 69—“The Millwright Regional Council of Ontario is comprised of eight local unions throughout the province.... Never in the history of labour legislation in the province of Ontario have strangers to a collective bargaining relationship been allowed to affect the bargaining rights of another trade union. I refer, of course, to the ability of the other trade unions to allow general contractors to escape their collective agreement obligations for certain trade unions for the geographic areas outside of Toronto.”

It goes on to say, “The ability of employers to gut the provincial collective agreements and appoint arbitrators to settle the terms and conditions of employment is totally counter to normal Progressive Conservative principles that allow the marketplace to determine these issues....

“Bill 69 is anti-union; Bill 69 is anti-small town Ontario; Bill 69 is anti-free collective bargaining; Bill 69 is anti-aging workers; and Bill 69 is anti-safety on con-

struction sites.” So says Claude Cournoyer, the executive secretary-treasurer of the Millwright Regional Council of Ontario.

He concludes, “The only positive thing that can be said about Bill 69 is that it allows the Conservative Party to deliver on its mandate to assist the large construction companies who have financially supported the party.” It is a sad state of affairs in the province of Ontario that it has reached these limits.

Finally, another letter here—it already has been referred to earlier—from Patrick Dillon, the business manager, secretary-treasurer of the Provincial Building and Construction Trades Council of Ontario. “I must be blunt with the minister,” he writes to Chris Stockwell, the Minister of Labour, “in all my time in the construction industry”—and this gentleman has been around for a long time and many of us know this gentleman; I’m certainly very familiar with his family who live in the Kingston area as well—“I have never seen the kind of resentment and anger directed at a government of any stripe as I witnessed last Friday.” This is a letter, by the way, that was dated yesterday, November 13.

“You should also know that I recently attended a meeting in Kingston, hosted by the Kingston labour council.... The message coming out of this meeting was quite clear—enough is enough! There was an overwhelming sentiment to send the government a strong message about these continuous attacks on working people.

“While all of us know the government has the numbers to enact whatever legislation it desires, we also know working people have other means available to them to have their voices heard. I fear that these continued attacks on unions and working people will lead to instability in the workplace and will eventually wreak havoc on Ontario’s booming economy.... These attacks on working people have to stop now.

“Patrick Dillon, business manager.”

Finally, a letter from John Telford who’s the business manager of local 221 of the Quinte St Lawrence building trades council. I’m very familiar with Mr Telford in the Kingston area. He states in a letter to the minister: “Minister, I say to you, that gutting collective agreements, lowering safety standards and abandoning apprenticeship training has never reduced the cost of construction in any geographic area that this agenda has been put forward.”

I’ve only got a minute or so left. Let me just quote to you the very last paragraph.

Interjection.

Mr Gerretsen: You may be shouting. You may be—

Interjection: The member for Northumberland, who never says anything.

Mr Gerretsen: The member from Northumberland who hardly ever says anything in this House, that’s worth hearing about anyway.

Mr Telford says, “In closing, Mr Stockwell, I do not think that the industry committee or the EBAs have the legal right to alter any collective agreement without the

approval of the affected parties. I liken this to having the clowns in the circus voting to remove the safety net for the high wire people to save Barnum and Bailey money.”

That’s exactly what this government is doing. It is a very appropriate—what is it? A simile? No. It is a very appropriate description of what this government is doing.

Interjection: It’s a metaphor.

Mr Gerretsen: It is an appropriate metaphor, I take from my teaching friend.

“I urge you to listen to the people whose lives and families will be affected by this type of regressive no respect legislation.”

I ask this government and the minister to do the right thing again. Why bring greater discord in this province? Why attack the union workers of this province? Withdraw the bill. Sit down with all the parties and come up with a reasonable piece of legislation that is good for all of the people of Ontario.

The Deputy Speaker: This concludes the time allotted for debate.

Mr Stockwell has moved government notice of motion number 7.

Is it the pleasure of the House that the motion carry?

All in favour will say “aye.”

All opposed will say “nay.”

In my opinion, the ayes have it.

Call in the members. It will be a 10-minute bell.

The division bells rang from 1745 to 1755.

The Deputy Speaker: All those in favour will please rise one at a time until recognized by the Clerk.

Ayes

Arnott, Ted	Guzzo, Garry J.	O’Toole, John
Baird, John R.	Hardeman, Ernie	Ouellette, Jerry J.
Barrett, Toby	Hodgson, Chris	Runciman, Robert W.
Beaubien, Marcel	Hudak, Tim	Snobelen, John
Chudleigh, Ted	Jackson, Cameron	Spina, Joseph
Clark, Brad	Johns, Helen	Sterling, Norman W.
Coburn, Brian	Johnson, Bert	Stewart, R. Gary
Cunningham, Dianne	Kells, Morley	Stockwell, Chris
DeFaria, Carl	Klees, Frank	Tascona, Joseph N.
Dunlop, Garfield	Martiniuk, Gerry	Tilson, David
Ecker, Janet	Maves, Bart	Wettlaufer, Wayne
Eves, Ernie L.	Mazzilli, Frank	Witmer, Elizabeth
Galt, Doug	Molinari, Tina R.	Wood, Bob
Gilchrist, Steve	Munro, Julia	Young, David
Gill, Raminder	Newman, Dan	

The Deputy Speaker: All those opposed will please rise one at a time until recognized by the Clerk.

Nays

Agostino, Dominic	Crozier, Bruce	Kwinter, Monte
Bartolucci, Rick	Curling, Alvin	Lalonde, Jean-Marc
Bountrogianni, Marie	Di Cocco, Caroline	Lankin, Frances
Boyer, Claudette	Dombrowsky, Leona	Marchese, Rosario
Bradley, James J.	Duncan, Dwight	Martel, Shelley
Bryant, Michael	Gerretsen, John	McLeod, Lyn
Christopherson, David	Gravelle, Michael	Patten, Richard
Churley, Marilyn	Hampton, Howard	Peters, Steve
Conway, Sean G.	Hoy, Pat	Ramsay, David
Cordiano, Joseph	Kormos, Peter	Ruprecht, Tony

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 44; the nays are 30.

The Deputy Speaker: I declare the motion carried.

It being 6 of the clock, this House stands adjourned until 6:45.

The House adjourned at 1758.

Evening meeting reported in volume B.

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