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Monday 29 February 2016

**Journal
des débats
(Hansard)**

Lundi 29 février 2016

**Standing Committee on
Social Policy**

Sexual Violence
and Harassment Action Plan Act
(Supporting Survivors
and Challenging Sexual Violence
and Harassment), 2016

**Comité permanent de
la politique sociale**

Loi de 2016 sur le Plan d'action
contre la violence
et le harcèlement sexuels
(en soutien aux survivants
et en opposition à la violence
et au harcèlement sexuels)

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
SOCIAL POLICY**

**COMITÉ PERMANENT DE
LA POLITIQUE SOCIALE**

Monday 29 February 2016

Lundi 29 février 2016

The committee met at 1403 in room 151.

SEXUAL VIOLENCE
AND HARASSMENT ACTION PLAN ACT
(SUPPORTING SURVIVORS
AND CHALLENGING SEXUAL VIOLENCE
AND HARASSMENT), 2016
LOI DE 2016 SUR LE PLAN D'ACTION
CONTRE LA VIOLENCE
ET LE HARCÈLEMENT SEXUELS
(EN SOUTIEN AUX SURVIVANTS
ET EN OPPOSITION À LA VIOLENCE
ET AU HARCÈLEMENT SEXUELS)

Consideration of the following bill:

Bill 132, An Act to amend various statutes with respect to sexual violence, sexual harassment, domestic violence and related matters / Projet de loi 132, Loi modifiant diverses lois en ce qui concerne la violence sexuelle, le harcèlement sexuel, la violence familiale et des questions connexes.

The Vice-Chair (Mr. Jagmeet Singh): Good afternoon, everyone. The Standing Committee on Social Policy will now come to order. We have a member from each of the parties present. Thank you so much.

As everyone knows, we're here for clause-by-clause consideration of Bill 132, An Act to amend various statutes with respect to sexual violence, sexual harassment, domestic violence and related matters.

When it comes to the amendments, there is normally a proposal that consecutive sections with no amendments be grouped together. I personally feel that it can be confusing when you group them together, and I think it's important to vote separately, but if the committee would like to group them together when there are no amendments, that's something we can do. Is that what the committee would like to do, or would you like to vote on them as separate sections? Yes, Ms. Vernile?

Ms. Daiene Vernile: I think that makes good sense and it's a good use of our time, Chair.

The Vice-Chair (Mr. Jagmeet Singh): Sure. Any disagreement, or is that a consensus? Everyone okay with that? Yes. Okay. If anyone has an issue with it, the normal convention is to go section by section. I have no issue doing that. I personally think it's better to go section by section, but the convention is that folks in committee have been suggesting to do it grouping together.

Interjection.

The Vice-Chair (Mr. Jagmeet Singh): Right. Perhaps, if there's no a clear will of the committee, when we get to those components, we can address it then.

Bill 132 consists of three sections and six schedules. Because the substance of the bill is in the schedules, I suggest we postpone consideration of the three sections and deal with the schedules first. What I mean by that is, if you look at the beginning of the bill, it refers to the various sections of the bill. Because those components may change, it might make sense to come back to those at the end in case there are changes—I'll just draw your attention to Bill 132. At the bottom, it says, "Contents of this act." Section 2 says, "Subject to subsections (2) and (3), this act comes into force on the day it receives royal assent." Subsections (2) and (3) might change, though. If that's something that makes sense, does everyone agree? Or is it not clear?

Ms. Laurie Scott: Just do it one more time.

The Vice-Chair (Mr. Jagmeet Singh): Sure. The way it's written—I'll just read what's written, and then I'll explain it again.

Because the substance of the bill is in the schedules, I suggest we postpone consideration of the three sections and deal with the schedules first. What I mean by that is, there's schedule 1, and if you flip through, there are other schedules—schedule 2. Instead of dealing with the sections, we deal with those schedules, then come back to the sections.

Does that make sense? Is that fine? It's just kind of a housekeeping issue.

Ms. Sylvia Jones: Yes, sure.

The Vice-Chair (Mr. Jagmeet Singh): So does everyone agree with proceeding in that manner?

Ms. Daiene Vernile: If you could give us lots of good explanation with each motion and each schedule.

The Vice-Chair (Mr. Jagmeet Singh): Sure.

Ms. Laurie Scott: I think it will be okay.

The Vice-Chair (Mr. Jagmeet Singh): Sounds good. We have tentative unanimous consent. Excellent.

Are there any general comments that anyone would like to put on the record before we begin with the amendments? Seeing none, let us proceed to the motions.

Beginning with schedule 1, section 1, we have PC motion 1. I'd ask for a representative from the PC side. Ms. Scott?

Ms. Laurie Scott: Thank you. I—

Interjection.

The Vice-Chair (Mr. Jagmeet Singh): I'm just going to put it out there: There is some concern that this might be out of order.

Ms. Laurie Scott: So would you like me to read it first?

The Vice-Chair (Mr. Jagmeet Singh): What I would like to do, just because there's going to be this notion that if you read it out, then you won't be able to explain it, and I don't really like that myself. I'd like for you to be able to explain why it's important. I want you to have an opportunity to explain that.

Perhaps you can just quickly explain why you want this motion in and then move it. It's not normally the way things are done, but why not do things a little bit differently? I think it's an important issue, so please explain briefly why you want to do it and then move it.

Ms. Laurie Scott: Okay, in schedule 1, it was the Compensation for Victims of Crime Act, and my intent—without reading it in, right? It's just my general intent and why I want it changed?

The Vice-Chair (Mr. Jagmeet Singh): Yes.

Ms. Laurie Scott: I wanted it to include adding “a crime of human trafficking” after “a crime of sexual violence or of violence that occurred within a relationship...” So adding “human trafficking” so that they would be included in compensation for victims of crime; that was the intent of my motion, without reading the motion.

The Vice-Chair (Mr. Jagmeet Singh): Sure. Now, please read the motion.

Ms. Laurie Scott: I move that subsection 6(2) of the Compensation for Victims of Crime Act, as set out in section 1 of schedule 1 to the bill, be amended by adding “or a crime of human trafficking” after “a crime of sexual violence or of violence that occurred within a relationship of intimacy or dependency”.

I have brought in several motions on anti-human trafficking, legislation that I would like to see brought forward and action taken on. This was a part of Bill 132 that I felt we could start, get the government to act by putting victims of human trafficking into the compensation act.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much for moving that, Ms. Scott. I guess folks might want to have comments on it. In fairness, maybe people can—if I make a ruling on this, then you won't technically be able to, so maybe you want to just—do you have a brief comment that you would like to make on it?

The issue is—and I'll just say it briefly—if we have unanimous consent, it can be considered, but technically, based on the way the act is worded—Bill 132—it's specifically tailored to sexual violence and sexual harassment. Because the language and the definition of “human trafficking” isn't limited to sexual violence, it's something, broadly speaking—human trafficking occurs in a broad sense as well. The term is not technically within the scope of the bill.

I would rule it out of order because of that, reluctantly. I think it is an important issue, but if we're being very technical with the language, because “human trafficking” is so broad, it doesn't fit within the narrow definition of what Bill 132 is about, though I very much understand your concerns. So if I could do that as respectfully as possible.

Before I make a ruling, did anyone want to add something? I'm being very lenient with the rules on this, but—

Ms. Sylvia Jones: And I appreciate that, Chair. I think what my colleague is doing—and, quite frankly, what we've had a number of debates on in the legislative chamber—is the prevalence and ever-widening scale of human trafficking across Ontario. While I acknowledge that it isn't specifically mentioned in Bill 132, I think the intent was that we know it's a problem that's growing exponentially, and we're just trying to get ahead of the game, because right now we're way behind.

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The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Jones. Unless there is a request to ask for unanimous consent to allow this amendment, I'll make my ruling now.

Ms. Laurie Scott: Chair?

The Vice-Chair (Mr. Jagmeet Singh): Yes, Ms. Scott?

Ms. Laurie Scott: Can I ask for unanimous consent? Or maybe not?

The Vice-Chair (Mr. Jagmeet Singh): Oh, right. My apologies. I've messed up. I have to first rule, and then you can ask for unanimous consent. Let me just make the ruling, then.

I rule that, while it's an important issue, I apologize: It's not within the narrow definition of Bill 132, so I rule it out of order.

Ms. Scott?

Ms. Laurie Scott: Could I ask for unanimous consent that this amendment be brought into the committee?

The Vice-Chair (Mr. Jagmeet Singh): You most certainly can ask for that. Unanimous consent is being sought to allow this amendment to be brought forward, despite the ruling that it is out of order.

Ms. Sylvia Jones: Recorded vote, please.

The Vice-Chair (Mr. Jagmeet Singh): For unanimous consent, it's not recorded; it's just unanimous consent or not.

Do we have unanimous consent on this? I have heard a no. We don't have unanimous consent on this.

The next motion, motion number 2, is an NDP motion. I call on Ms. Sattler.

Ms. Peggy Sattler: I move that subsection 6(2) of the Compensation for Victims of Crime Act, as set out in section 1 of schedule 1 to the bill, be amended by adding “regardless of the victim's immigration status in Canada and” after “may be made at any time”.

The Vice-Chair (Mr. Jagmeet Singh): Would you like to provide some comments with respect to this amendment?

Ms. Peggy Sattler: Yes. We heard from representatives of violence-against-women organizations who work with immigrant and newcomer women that immigrant and newcomer women may not be aware of their rights under the Compensation for Victims of Crime Act, and that, even if the act does apply to them, without explicit reference to immigration status, they may not be aware that they have this ability to seek civil redress. I felt that it was important to be explicit about that in the legislation.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments? I see Ms. Jones, and then I see Ms. Malhi.

Ms. Sylvia Jones: I'm happy to support this motion by my NDP colleague. If the violence, assault or harassment occurred on Ontario soil, then we have a duty to protect, so I'm happy to support it.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Malhi?

Ms. Harinder Malhi: I don't think we can support this, because referring to the immigration status and limitation period section of the CVCA would just create confusion. There's really no referral to immigration status throughout any of the legislation, so I don't think there's an actual need for it.

The Vice-Chair (Mr. Jagmeet Singh): Any further debate? Yes, Ms. Vernile?

Ms. Daiene Vernile: I would further add that compensation now is already available to all victims of violent crimes in Ontario. Therefore, I would humbly submit that this provision really isn't necessary. The law right now isn't limited to your basis of immigration. All victims of violent crimes in Ontario are guaranteed access to representation.

The Vice-Chair (Mr. Jagmeet Singh): I see Ms. Sattler.

Ms. Peggy Sattler: We did hear from the organizations who work with women who have experienced sexual or domestic violence that immigrant and newcomer women are not aware of their rights under Ontario's legislation, so I did feel that it was important to include this in the bill.

The Vice-Chair (Mr. Jagmeet Singh): Any further debate? Mrs. Mangat.

Mrs. Amrit Mangat: The inclusion of this issue of human trafficking is outside the scope of our Action Plan to Stop Sexual Violence and Harassment. It will be considered in our government's upcoming human trafficking strategy. I don't think we are going to support it.

The Vice-Chair (Mr. Jagmeet Singh): We're not referring to that motion. This is motion number 2. Perhaps you're on motion number 1? This one does not—

Mrs. Amrit Mangat: The NDP motion.
Interjections.

The Vice-Chair (Mr. Jagmeet Singh): So this doesn't have any reference to human trafficking. This is motion number 2.

Mrs. Amrit Mangat: Okay. I draw it back.

The Vice-Chair (Mr. Jagmeet Singh): Oh, no problem. Any further debate? Yes, Ms. Sattler?

Ms. Peggy Sattler: Can I have a recorded vote when we move to voting on—

The Vice-Chair (Mr. Jagmeet Singh): Absolutely. You can always have a recorded vote for any vote. Yes, absolutely. So please note: a recorded vote.

And just to ensure, one more time: Any further debate? No further debate. Okay. Shall the motion carry? A recorded vote.

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to motion number 3: It's a PC motion. So what I'll do in this case to make it more appropriate is that I'll first ask you to move the motion, and before I make a ruling on whether or not it is within the scope of the bill, I would ask for anyone who wants to make comments to make comments, and then I'll make a ruling. Ms. Scott.

Ms. Laurie Scott: I'm going to read first?

The Vice-Chair (Mr. Jagmeet Singh): Yes, please.

Ms. Laurie Scott: I move that section 1 of schedule 1 to the bill be amended by adding the following subsection:

“Interpretation—crime of human trafficking

“(4) In this section, a person commits a crime of human trafficking when,

“(a) he or she,

“(i) abducts, recruits, transports or harbours a person, or

“(ii) exercises control, direction or influence over the movements of a person; and

“(b) he or she uses force, the threat of force, fraud, deception, intimidation, the abuse of power or a position of trust or the repeated provision of a controlled substance, in order to cause, compel or induce that person,

“(i) to become involved in prostitution or any other form of sexual exploitation,

“(ii) to provide forced labour or services, or

“(iii) to have an organ or tissue removed.”

The Vice-Chair (Mr. Jagmeet Singh): Before I make a ruling on this, if there's any comments with respect to this motion? I would first recognize Ms. Scott.

Ms. Laurie Scott: What we are doing is basically defining human trafficking and hoping that that could be included in the bill. As we have said many times before, it's one of the largest growing crimes in Ontario, and also nationally. This issue needs to be addressed sooner rather than later. By putting the definition in and adding it, hopefully, to the Compensation for Victims of Crimes Act, we would be able to at least, in some small part here

today, start to address the severity of the human trafficking issue.

The Vice-Chair (Mr. Jagmeet Singh): Any further debate or any further comments? Yes, Ms. Malhi.

Ms. Harinder Malhi: Although we understand the importance of human trafficking, and we are already thinking about it, I think again it's out of the scope of the sexual violence and harassment bill that we're looking at right now. That's why we would rather address it in the upcoming human trafficking strategy that the government is looking at.

The Vice-Chair (Mr. Jagmeet Singh): Okay. Any further comments? Ms. Jones?

Ms. Sylvia Jones: On that issue, I will accept the fact that you want to hive off and deal with human trafficking separately, although I will reiterate that it's a growing crime that we can't sit on. Can you, as the parliamentary assistant, give us some kind of timeline as to when this is expected? Because I see an opportunity here today with Bill 132 to incorporate some of the human trafficking aspects, and I would hate to think that we missed this window.

The Vice-Chair (Mr. Jagmeet Singh): In fairness, I think the government should be able to respond, but what I'm going to just point out is that I'm actually being—some other Chairs would not even allow this at all, not allow any comments. I don't like that. I think it's very rude when people cut off debate so much like that. But the comments should be focused on just the bill itself as opposed to—as much as I support you asking the government when they are going to do things, that's probably more appropriate for question period. But in fairness, I think the government should be able to respond to that concern. If there's any specifically on this motion, then we can entertain those and then I'll move to my ruling.

Ms. Malhi.

Ms. Harinder Malhi: We are hopefully looking at June right now. That's the timeline that we've set. So we should have something going for—to be a review in June.

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The Vice-Chair (Mr. Jagmeet Singh): That's great. Committees are providing an opportunity to learn interesting things about government policy. That's great. Thank you for that.

At this point, based on the parameters that are set out by the bill, I rule that this amendment falls outside of that scope and, therefore, I rule the amendment out of order. We can move on to the next motion.

We are now in a position to address section 1 of schedule 1. The question I will put to you is: Shall section 1, schedule 1 carry? First of all, would anyone like a recorded vote on this or not? I don't see that. The question is, again: Shall section 1 of schedule 1 carry? It is carried.

Now we're in a position to vote on schedule 1, section 2. Shall schedule 1, section 2 carry? Carried.

Now we're in a position to vote on schedule 1. Shall schedule 1 carry? Carried.

Schedule 2, section 1: There are no amendments. Shall schedule 2, section 1 carry? Carried.

Schedule 2, section 2 also has no amendments. Shall schedule 2, section 2 carry? Also carried.

Again, schedule 2, section 3 has no amendments. Shall schedule 2, section 3 carry? Carried.

Now we're on to schedule 2, section 4, and we have a number of amendments. That is amendment number 4. I recognize Ms. Sattler.

Ms. Peggy Sattler: I withdraw, Chair.

The Vice-Chair (Mr. Jagmeet Singh): Okay. Motion number 4 is withdrawn.

Now we are on government motion number 5. Ms. Malhi?

Ms. Harinder Malhi: I move that clause 16(1)(h.1) of the Limitations Act, 2002, as set out in subsection 4(1) of schedule 2 to the bill, be amended by striking out “a person who committed, contributed to, consented to or acquiesced in the misconduct” in the portion before subclause (i) and substituting “the person who committed the misconduct”.

The Vice-Chair (Mr. Jagmeet Singh): Would you like to provide any explanations or any comments?

Ms. Harinder Malhi: The proposed motion seeks to address the concern of the Ontario Trial Lawyers Association that there be clarification that the no-limitation period rule would apply to the claims against institutional defendants.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much. Any debate on this amendment? Seeing none, I'll ask for the vote. Shall the motion carry? All those in favour? All those opposed? The motion is carried.

Next motion, government motion number 6: Ms. Malhi?

Ms. Harinder Malhi: I move that clause 16(1)(h.2) of the Limitations Act, 2002, as set out in subsection 4(1) of schedule 2 to the bill, be amended by striking out “a person who contributed to”—actually, no; sorry, give me one second—in the portion before subclause (i) and substituting “the person who committed the assault”.

The Vice-Chair (Mr. Jagmeet Singh): Sorry. Whenever you're ready, would you just be able to start again? Because I lost which—

Ms. Harinder Malhi: There we go. Sorry about that.

I move that clause 16(1)(h.2) of the Limitations Act, 2002, as set out in subsection 4(1) of schedule 2 to the bill, be amended by striking out “a person who committed, contributed to, consented to ... in the assault” in the portion before subclause (i) and substituting “the person who committed the assault”—sorry, “acquiesced in the assault” in the portion before subclause (i) and substituting “the person who committed the assault”.

The Vice-Chair (Mr. Jagmeet Singh): The only thing that is somewhat unclear is that the component “or acquiesced in the assault,” was not read out.

Ms. Harinder Malhi: No, I did—“acquiesced in the assault” in the portion before subclause (i) and “substituting the person who committed the assault”.

The Vice-Chair (Mr. Jagmeet Singh): Thank you. Technically you have to read exactly what the motion says; otherwise, then we get into confusion about whether it's the same motion we're voting on or not.

Any debate or explanation with respect to this motion?

Ms. Harinder Malhi: Again, it would address the Ontario Trial Lawyers Association, in that there would be clarification that the no-limitation-period rule would apply to claims against institutional defendants.

The Vice-Chair (Mr. Jagmeet Singh): Any additional debate with respect to this motion? Okay.

Shall the motion carry? All those in favour? All those opposed? The motion carries.

Now we have motion 7. Ms. Scott?

Ms. Laurie Scott: I move that subsection 4(1) of schedule 2 to the bill be amended by adding the following clause:

“(h.3) a proceeding based on an act of human trafficking;”

Again, Chair, I bring up the fact that human trafficking should be included, and also, in respect to the limitation period, that survivors of sexual violence or of violence certainly do include human trafficking. I beg your indulgence with that motion again.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Scott. We've had some good debate on this issue, so I'll just move right to the ruling: Though, again, it's an important issue, it does fall outside of the narrow parameters set out by this bill, so I rule it out of order and we'll move on to the next motion.

Motion 8 is an NDP motion—

Ms. Peggy Sattler: Withdraw, Chair.

The Vice-Chair (Mr. Jagmeet Singh): Withdrawn.

Moving to motion number 9—is that Ms. Scott?

Ms. Laurie Scott: I move that subsection 16(1.1) of the Limitations Act, 2002, as set out in subsection 4(2) of schedule 2 to the bill, be amended by striking out “Clauses (1)(h), (h.1) and (h.2)” at the beginning and substituting “Clauses (1)(h), (h.1), (h.2) and (h.3)”.

The Vice-Chair (Mr. Jagmeet Singh): Because this one refers to a previous motion that needed to have carried and was contingent on that, I would rule it out of order.

Ms. Laurie Scott: Again, in respect to human trafficking, if anyone's listening, to understand what we're saying—it's for the inclusion of human trafficking, which I can't seem to get included, but thank you.

The Vice-Chair (Mr. Jagmeet Singh): Moving on to motion number 10, a government motion. Ms. Malhi?

Ms. Harinder Malhi: I move that subsection 4(2) of schedule 2 to the bill be amended by adding the following subsection:

“Same

“(1.3) For greater certainty, clauses (1)(h), (h.1) and (h.2) are not limited in any way with respect to the claims that may be made in the proceeding in relation to the applicable act, which may include claims for negligence, for breach of fiduciary or any other duty or for vicarious liability.”

Again, with this motion we are addressing some of the concerns brought forward by the Ontario Trial Lawyers Association, so that there will be clarification that the no-limitation-period rule would apply to claims against institutional defendants.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate? Seeing none, we can move to a vote. Shall the motion carry? All those in favour? All those opposed? The motion carries.

Now we're moving to motion 11. Ms. Scott?

Ms. Laurie Scott: I move that section 4 of schedule 2 to the bill be amended by adding the following subsection:

“(3) Section 16 of the act is amended by adding the following subsection:

““Interpretation—act of human trafficking

“(5) In this section, a person engages in an act of human trafficking when,

“(a) he or she,

“(i) abducts, recruits, transports or harbours a person, or

“(ii) exercises control, direction or influence over the movements of a person; and

“(b) he or she uses force, the threat of force, fraud, deception, intimidation, the abuse of power or a position of trust or the repeated provision of a controlled substance, in order to cause, compel or induce that person,

“(i) to become involved in prostitution or any other form of sexual exploitation,

“(ii) to provide forced labour or services, or

“(iii) to have an organ or tissue removed.””

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Again, this is the definition of human trafficking that is sexual violence against women. I appreciate that the government has said that, in June, they want to bring forward a plan. I'd just point out that there was nothing in the budget for funding to fight human trafficking.

The Vice-Chair (Mr. Jagmeet Singh): Thank you for your comments. Again, because of the limitation of the parameters of Bill 132, I rule that this motion is out of order, and we move to the next motion.

We're in a position to vote on schedule 2, section 4. Shall schedule 2, section 4, carry?

Interjection: As amended.

The Vice-Chair (Mr. Jagmeet Singh): Oh, sorry. As amended. Thank you.

Let me say that again, just to be very clear for the record: Shall schedule 2, section 4, as amended, carry? Carried.

Now we are moving to schedule 2, section 5. We have PC motion 12.

Ms. Laurie Scott: I move that subsection 24(2.1) of the Limitations Act, 2002, as set out in subsection 5(2) of schedule 2 to the bill, be amended by striking out “clause 16(1)(h), (h.1) or (h.2)” and substituting “clause 16(1)(h), (h.1), (h.2) or (h.3)” —again, related to human trafficking definitions.

The Vice-Chair (Mr. Jagmeet Singh): This amendment is dependent on a previous amendment that did not pass. As a consequence, I rule the amendment out of order because it would create an inconsistency in terms of language or reference. But thank you very much.

We're in a position now to vote on schedule 2, section 5. Shall schedule 2, section 5, carry? Carried.

Moving to schedule 2, section 6: Shall schedule 2, section 6, carry? Carried.

Shall schedule 2, as amended, carry? Carried.

Now we are moving on to schedule 3, section 1. We have our first motion, which is a PC motion. Ms. Jones.

Ms. Sylvia Jones: I move that the definition of "sexual violence" in subsection 17(1) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by adding "gender identity or gender expression" after "targeting a person's sexuality".

The Vice-Chair (Mr. Jagmeet Singh): Any comments?

Ms. Sylvia Jones: It was a comment that was brought forward to the committee in Peterborough, and it, quite frankly, made sense.

The Vice-Chair (Mr. Jagmeet Singh): Any further comments or debate? Ms. Malhi.

Ms. Harinder Malhi: We're happy to support it and want to thank you for bringing it forward.

The Vice-Chair (Mr. Jagmeet Singh): Excellent. Any further comments?

Seeing none, are members ready to vote?

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Shall the motion carry? All those in favour? Everyone is in favour. All those opposed? No one is opposed. The motion is carried.

The next motion is motion 14, an NDP motion. I recognize Ms. Sattler.

Ms. Peggy Sattler: I move that the definition of "sexual violence" in subsection 17(1) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be struck out and the following substituted:

"'sexual violence' means any sexual act or act targeting a person's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, sexual exploitation, sexual solicitation and verbal or non-verbal conduct of a sexual nature, and may include an act that occurs online or in the context of a domestic or intimate partner relationship."

The Vice-Chair (Mr. Jagmeet Singh): Any comments with respect to the motion?

Ms. Peggy Sattler: Yes. This revised definition includes the reference to gender identity and gender expression that we passed in the previous motion, which is important. But it also broadens the definition of what constitutes sexual violence by adding in sexual sollicita-

tion, verbal or non-verbal conduct of a sexual nature. This was something that was recommended to us by people who appeared before the committee.

The final part of this amended definition talks about acts that occur online. We know that there is a lot of sexual violence that occurs through cyberbullying, cyberattacks and cyber abuse.

Finally, it references the context of a domestic or intimate partner relationship. There was a report of the Domestic Violence Death Review Committee that recommended that colleges and universities address the fact that much sexual violence occurs within a dating or intimate partner relationship, and it's important that students at post-secondary campuses understand that the violence that can occur when they are in a dating relationship or have a boyfriend of some length of time is also encompassed by the amendments to this act.

The Chair (Mr. Jagmeet Singh): Any additional comments? Ms. Malhi.

Ms. Harinder Malhi: We really aren't ready to support this because the existing definition is already broad enough to include acts committed online or by an intimate partner. The proposed motion unnecessarily includes additional language which may inadvertently narrow the interpretation of the actual definition. The additional language cites verbal or non-verbal conduct of a sexual nature as an example of a non-consensual sexual act. It would be inaccurate to state that, by definition, sexual conduct is non-consensual.

We already have the definition there, and to broaden it even more—we don't think that it's not covered as is. Everything that you're talking about is covered in the current definition. We feel that acts committed online or by intimate partners are included in the current definition. That's why we really wouldn't be able to support it right now.

The Chair (Mr. Jagmeet Singh): Any additional comments? Seeing none, we are now in a position to vote. Are the members ready to vote?

Ms. Peggy Sattler: Can I have a recorded vote, please?

Mr. Jagmeet Singh: Yes, you can request a recorded vote. So a recorded vote, please: Shall the motion carry?

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Malhi, Mangat, Vernile.

The Chair (Mr. Jagmeet Singh): The motion is lost. Moving to motion 15: Ms. Malhi.

Ms. Harinder Malhi: I move that clause 17(3)(a) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by striking out "specifically and solely" at the beginning.

The Chair (Mr. Jagmeet Singh): Thank you. Any comments? No. Okay. Any further debate? Seeing none, are the members ready to vote? Hearing no response, I'm going to repeat that again: Are the members ready to vote?

Ms. Daiene Vernile: We sure are.

The Chair (Mr. Jagmeet Singh): Okay, that's great. That's a response. I can live with that.

Shall the motion carry? All those in favour? It looks like, more or less, people are saying it's going to carry. All those opposed? No one is opposed. The motion is carried.

The Chair (Mr. Jagmeet Singh): Motion 16.

Ms. Laurie Scott: We'll withdraw.

The Chair (Mr. Jagmeet Singh): Motion 16 is withdrawn. Thank you, Ms. Scott.

Motion 17, an NDP motion: Ms. Sattler.

Ms. Peggy Sattler: I move that subsection 17(3) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be struck out and the following substituted:

“Sexual violence policy

“(3) Every college or university described in subsection (2) shall have a sexual violence policy that,

“(a) specifically addresses sexual violence involving students enrolled at the college or university, as well as faculty, staff, volunteers, visitors and other members of the campus community;

“(b) sets out the process for how the college or university will respond to and address incidents and complaints of sexual violence, and includes the elements specified in the regulations relating to the process;

“(c) sets out the process for formal reports of sexual violence to be made to the college or university, and provides options and resources for confidential disclosure without a formal report;

“(d) addresses any other topics and includes any other elements required by the regulations; and

“(e) otherwise complies with the requirements set out in the regulations.”

1440

The Vice-Chair (Mr. Jagmeet Singh): Any comments or debate? Ms. Sattler.

Ms. Peggy Sattler: Yes. We heard extensive input from people who are involved in the post-secondary sector—students, faculty and staff—that there is a need for the sexual violence policy to address more than just students but be inclusive of the broader campus community. This amendment is an effort to acknowledge the fact that the policy has to be applicable to anyone who is on a post-secondary campus.

The input we received also repeatedly talked about the difference between formal reports to an institution, which the student expects the institution to follow up on, compared to a confidential disclosure of an experience of sexual violence, where you would have to respect the student's wishes on how that confidential disclosure would be followed up.

Oftentimes the student or faculty or whoever experiences sexual violence may not expect any kind of action to be taken but just needs to disclose, so that they can be supported with services on campus. It's very important—this was reinforced many times during the public input—to have that clear distinction between formal reports and confidential disclosures.

The Vice-Chair (Mr. Jagmeet Singh): Any additional debate? Ms. Malhi, and Ms. Jones after that.

Ms. Harinder Malhi: I can't really say that we support that, because we really want to focus specifically on students. We agreed that students are a specifically vulnerable group, and that's why this is there to support them—we want to focus on them. Some of the concerns you talk about that came up in public hearings were addressed in motion 15, where the entire campus community should be included under the policy by providing universities and colleges with the flexibility to expand their scope so that they are able to include the campus community if they feel it is appropriate. But we really think that with students being such a vulnerable group, and with our commitment made to students during It's Never Okay, that we take this as a policy putting students first and focusing on students.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Jones, and then Ms. Sattler.

Ms. Sylvia Jones: I'm happy to support this motion. I think it clarifies the expectations we are trying to achieve with this policy. Quite frankly, I'm a little concerned that, with the government not supporting it, we are running into a situation where we will have different levels and types of protection on our college and university campuses, so I'm disappointed that we are not clarifying it for everyone who is involved.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Sattler.

Ms. Peggy Sattler: I understand the government's rationale for saying that their previous motion that removes “specifically and solely,” which we have passed already, allows an institution to encompass the broader campus community. However, the explanation that the government provided does not address in any way the concern about formal reports versus confidential disclosures. We heard over and over again that the way the legislation is currently written does not provide room for confidential disclosures. It assumes that all of these incidents are going to be tracked and recorded by the institution, and that may be contrary to the wishes of people who have experienced sexual violence on campuses. We have to respect how a survivor wants to have their experience addressed by the institution.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Malhi.

Ms. Harinder Malhi: The government intends to address in an anticipated regulation that the survivor does not have to formally report an incident to their college or university in order to access supports or accommodations. There will be an option available for people to continue to access the supports or accommodations that are available.

We still feel that this policy itself should be student-focused.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Malhi. Any additional debate?

Ms. Peggy Sattler: Could I have a recorded vote, Chair?

The Vice-Chair (Mr. Jagmeet Singh): Yes, absolutely. Recorded vote noted. We are now in a position to vote. Are the members ready to vote? Looks like we are.

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to PC motion number 18: Ms. Scott.

Ms. Laurie Scott: I move that subsection 17(4) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by striking out “student input” and substituting “input from students, faculty and staff and from local community sexual assault centres”.

We’ve written it because a lot of stakeholders expressed concern that it only required student input. We feel that a lot of the expertise, if I can use that word, for sexual assault centres and victims’ services is from the local community and sexual assault centres. It’s trying to be assistive with expertise and providing input.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Scott. Any additional comments or debate? Ms. Malhi.

Ms. Harinder Malhi: We really feel, like in the previous motion, that this should be student-focused, and the input that we are looking for is from students so we can cater it to their concerns and address the concern that students themselves are facing.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Jones?

Ms. Sylvia Jones: I don’t read, in any way, that this motion takes away the student input and involvement. I think, in fact, it’s allowing them to call on the expertise that’s in their community and in the field. By its extension and expansion, it’s actually assisting.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Jones. Any additional comments? Ms. Vernile.

Ms. Daiene Vernile: The bill, as it stands now: The requirements show that—people are not being prevented from coming forward. Colleges and universities would be able to consult further from their campuses with experts in their community, if they wish to, on the issue of sexual assault.

So there’s nothing there within the bill now, as proposed, that would prevent post-secondary institutions from looking for added input.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate? Yes, Mrs. Mangat?

Mrs. Amrit Mangat: I think that government motion 15 addresses the concern that we have heard during the public hearings: that the entire campus community should be included under the policy by providing universities and colleges with the flexibility to expand the scope of their policy, if appropriate.

So we wouldn’t support it.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Mrs. Mangat. Any additional comments or debate? Seeing none, are the members ready to vote? Yes, it looks like it.

Shall the motion carry? All those in favour? All those opposed? The motion is lost.

Moving to NDP motion number 19: Ms. Sattler.

Ms. Peggy Sattler: I move that subsection 17(4) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be struck out and the following substituted:

“Input

“(4) A college or university described in subsection (2) shall ensure that input from the following persons and entities is incorporated, in accordance with any regulations, in the development of its sexual violence policy and every time the policy is reviewed or amended:

“1. Student survivors and diverse members of the student community.

“2. Faculty and staff.

“3. Relevant organizations in the community in which the college or university is located, in particular sexual assault centres, rape crisis centres, domestic violence treatment centres, sexual assault treatment centres and similar entities.”

1450

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much. Any additional comments or debate? Ms. Sattler?

Ms. Peggy Sattler: Yes. This motion goes a little bit further than the previous motion that we just discussed, that was brought forward by the PCs. It strengthens the language in that current section of the bill.

Currently, the bill refers to student input being considered. This changes the language to say that the input has to be incorporated, and also, that input has to be sought broadly, in particular from student survivors. This was something we heard during the public input, that the institutions should be required to reach out, to engage diverse members of the student community and students who had experienced sexual violence themselves.

This motion also talks about soliciting input from faculty and staff and those organizations in the community that have expertise in dealing with sexual violence, such as rape crisis centres, shelters and sexual assault centres etc. This was something we heard not just in the public input on Bill 132 but also in the Select Committee on Sexual Violence and Harassment. There is a lot of expertise that exists in the community. Oftentimes a student on a post-secondary campus may not use any of the campus services that are available; they may go straight to the community. So the community may have a

lot of information about students' experience of sexual violence that would be useful for the campus policy.

The Vice-Chair (Mr. Jagmeet Singh): Any additional debate? Ms. Malhi.

Ms. Harinder Malhi: As we discussed in the previous motion, we do feel that student focus is definitely important. We feel that the current legislation does entail that students, whether from diverse groups or from different experiences, come forward and share their experiences and help inform the policy.

Again, the university or the colleges—in the legislation, nowhere does it say that they wouldn't be able to seek other input, so they're free to do that.

We won't be supporting any changes to the legislation—well, this motion.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Malhi. Ms. Jones?

Ms. Sylvia Jones: In the same way that legislation is improved when we seek outside experts and have public consultation, I see no reason why the same concept cannot happen. Therefore, I'm pleased to support this motion.

The Vice-Chair (Mr. Jagmeet Singh): Any additional debate? Ms. Sattler.

Ms. Peggy Sattler: Can I have a recorded vote?

The Vice-Chair (Mr. Jagmeet Singh): Yes, recorded vote. Please note the recorded vote. Any final debate or discussion? Seeing none, are the members ready to vote?

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

NDP motion 20: Ms. Sattler.

Ms. Peggy Sattler: I move that subsection 17(5) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by striking out "three years" and substituting "two years".

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate? Ms. Sattler.

Ms. Peggy Sattler: This motion honours the input that was provided to us by many of the student organizations that appeared before the committee. There is a concern, particularly at the college level, where a number of college programs are only one, two or three years in length, that a review of every three years is not frequent enough. The recommendation had been made to have a review every two years instead, and I think that makes good sense.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments? Ms. Malhi.

Ms. Harinder Malhi: Right now, I think that the three-year is something that we would like to continue because, again, nowhere does it state that colleges and universities can't more frequently visit their actual plans if they feel that it is needed.

We think that a three-year time frame gives time for the policy to be tested, to see how it's working out. It also covers the four-year span that a student may be in the post-secondary institution. We think that the three-year is there to ensure that it is being done every three years, but colleges and universities could go back every two years.

We don't necessarily want to add an administrative burden by asking that it be two years for sure. We would leave it up to the schools at that point, if they felt that it was needed earlier.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Jones.

Ms. Sylvia Jones: With the greatest of respect, if you're leaving it up to the schools to make the decision whether they do it three years or two years, then why do we have any number in the legislation? Clearly, Bill 132 is trying to make some very specific legislative parameters to colleges and universities, so to suggest that just because three years is in the bill, colleges and universities are going to do it more often than that—they're not because, by legislation, you've got it for two. It's a false argument.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much. Ms. Vernile?

Ms. Daiene Vernile: In consultation with TCU, the sage advice that we are getting is that within a three-year period there is time to actually have this policy function in the real world; whereas with two years, you're going to be constantly under review. So in practical terms, three years makes more sense. We'll actually get to see this in place and flesh it out and see if it's working and then subject it to review after that period.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Vernile. Any additional comments?

Ms. Peggy Sattler: Recorded vote, Chair.

The Vice-Chair (Mr. Jagmeet Singh): Yes, recorded vote. Are the members ready to vote?

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to motion 21. It's a PC motion. Ms. Jones.

Ms. Sylvia Jones: I move that section 17 of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by adding the following subsection:

"Exchange of ideas, best practices

“(5.1) The ministry shall facilitate the exchange among the colleges and universities described in subsection (2) of ideas and best practices respecting responding to and preventing sexual violence.”

The intent of this amendment is obviously to ensure that the best practices that are occurring in some of our post-secondary institutions are shared and made available to all.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Jones. Any additional comments? Ms. Vernile?

Ms. Daiene Vernile: Chair, I’d like to add that if you are willing to alter the motion to the ministry “may” facilitate, as opposed to “shall,” we could see ourselves supporting it. But if you are going to be submitting it as is—the ministry “shall”—we will not be supporting it.

The Vice-Chair (Mr. Jagmeet Singh): Just give me one brief indulgence.

Ms. Jones, please continue.

Ms. Sylvia Jones: What I’m hearing is that you would like to remove the word “shall” and put in the word “may.” Can I have some explanation as to why?

Ms. Daiene Vernile: I believe this gives us greater flexibility to work with that, as opposed to it being so prescriptive.

Ms. Sylvia Jones: That’s true, but “may” is also a wiggle word and, from a legal standpoint, it leads to more confusion, where “shall” is, to your point, prescriptive. I’d like to keep it as “shall.”

The Vice-Chair (Mr. Jagmeet Singh): Okay, Ms. Jones. Any additional comments? Yes, Ms. Sattler?

Ms. Peggy Sattler: I think that this amendment is important and I’m happy to support it. I know that we heard from a number of post-secondary institutions that are of various sizes and have different kinds of student bodies. Some kind of process to facilitate the exchange of best practices between institutions would be important so that it’s not going to be one size fits all. There has to be a way that small institutions can learn from other small institutions. Rural and northern universities may be interested in learning what’s working well in other remote post-secondary institutions. I think this is important and I’m pleased to support it.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Ms. Vernile?

Ms. Daiene Vernile: I’d like to share too—and you may be aware of this—that TCU is going to be hosting a conference for post-secondary institutions in 2017, which is going to be looking at best practices. For that reason, we feel that it’s not necessary to have this motion. We’ll be sharing best practices in the future.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Jones?

Ms. Sylvia Jones: So the post-secondary institutions “may” attend or “shall” attend? It sort of speaks to my point.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate? Seeing none, are we in a position to vote? Are the members ready to vote? Yes.

Ms. Daiene Vernile: Chair, if I may, may I ask for a five-minute recess?

The Vice-Chair (Mr. Jagmeet Singh): Yes, absolutely.

Ms. Daiene Vernile: Thank you kindly.

The Vice-Chair (Mr. Jagmeet Singh): Let me just clarify the procedure really quickly. Ms. Vernile, you can ask for a recess right before a vote, or are you just asking for some time to consider something? If you are asking for some time to consider something, technically I have to ask everyone’s permission. If it’s right before the vote, that’s mandatory. You can get that no matter what.

Ms. Daiene Vernile: We’re just looking for five minutes, if we could—

The Vice-Chair (Mr. Jagmeet Singh): Is everyone okay with five minutes?

Yes, we’re okay with five minutes.

Ms. Daiene Vernile: Thank you.

The Vice-Chair (Mr. Jagmeet Singh): I’m going to use my gavel now and take a five-minute recess.

The committee recessed from 1500 to 1511.

The Vice-Chair (Mr. Jagmeet Singh): The committee has resumed, but I understand there are more discussions going on. In the interest of respecting everyone’s time, I think it might be a couple more minutes. Do we need a couple more minutes, maybe?

Ms. Laurie Scott: I think we’re okay.

The Vice-Chair (Mr. Jagmeet Singh): We’re okay? Okay. I guess we are. I didn’t actually mean to rush you; I just wanted to make sure that if there was an additional five or 10 minutes we needed—

Ms. Laurie Scott: We were moving on to other things while we were waiting.

The Vice-Chair (Mr. Jagmeet Singh): We are ready to get back into action.

Motion 21 is on the table. We were discussing it. Is there any further debate on motion 21? Seeing none, are we in a position to vote? I’m going to assume that’s a yes from the lack of response.

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Shall the motion carry? All those in favour? All those opposed? The motion is lost.

Moving to NDP motion 22: Ms. Sattler.

Ms. Peggy Sattler: I move that clause 17(6)(b) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by striking out “involving students enrolled”.

Should I just move right into the explanation?

The Vice-Chair (Mr. Jagmeet Singh): Yes. Please go ahead, Ms. Sattler.

Ms. Peggy Sattler: The rationale for this amendment is to ensure that the sexual violence policy can apply to the broader campus community and is not only limited to involving students enrolled at the institution.

We heard during the public input that there are, for example, students who are elected to student government. They are not technically students enrolled at the institution; they are employees of the institution. By limiting

this legislation to students enrolled means that they would be excluded from the protections of the sexual violence policy.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Additional comments? I see Ms. Jones and then I see Ms. Malhi.

Ms. Sylvia Jones: I totally support this motion. I can think of many examples of visiting students from other institutions and any number of individuals whom we have an opportunity to protect by making this amendment. I'm happy to support it.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Jones. Ms. Malhi.

Ms. Harinder Malhi: We won't be supporting this motion because we feel that the existing language in the bill reflects the public action plan's focus on students. The government recommends maintaining the student focus of the legislation and any subsequent regulations. We feel that we've discussed in the past that students are a vulnerable group and we're taking a student focus. The language does cover that.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Any additional comments or debate? Yes, Ms. Vernile?

Ms. Daiene Vernile: I'd like to add too that our government motion 15 is already addressing this issue. There is no particular group that's excluded from being included in the action plan and in the bill.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Vernile. Ms. Sattler.

Ms. Peggy Sattler: The current wording says that the government can implement any "regulations relating to sexual violence involving students enrolled at the college or university," so that does limit the extent of the regulations and other measures.

I also would like to request a recorded vote when we get to voting on this amendment.

The Vice-Chair (Mr. Jagmeet Singh): Certainly. A recorded vote is noted.

Any additional debate on this motion? Seeing none, are we in a position to vote? Yes? Okay.

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Next is PC motion 23. Who will be reading the motion? It looks like Ms. Scott.

Ms. Laurie Scott: I move that clause 17(6)(b) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by adding "faculty or staff of the college or university or

other persons visiting the college or university" at the end.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much. Any additional comments or debate? Ms. Scott.

Ms. Laurie Scott: Again, we're ensuring that not only students but the faculty and staff or others visiting the college or university are included in regard to the implementation of measures required relating to sexual violence at the college or university. So, again, we're trying to make it more all-encompassing.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Sattler?

Ms. Peggy Sattler: I'm happy to support this motion, given the defeat of my previous motion. I think that it is important that there be explicit reference in the legislation to the fact that the sexual violence policy should apply to the broader campus community and shouldn't only be limited to students enrolled. There could be students visiting from other campuses; there could be—like our student-elected student leaders, who are not technically enrolled at the institution and therefore are not covered by the institution's sexual violence policy, which is a real problem.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Malhi?

Ms. Harinder Malhi: The government right now will not be supporting any amendments that reduce the bill's explicit and deliberate focus on students. We want to continue to focus on students from that campus. Other students would have the supports available to them, as we spoke about in earlier motions. So at this time, we won't be supporting this motion.

The Vice-Chair (Mr. Jagmeet Singh): Any additional debate or discussion? Ms. Jones.

Ms. Sylvia Jones: While I appreciate that the government is clearly focused on protecting students, I must note, Chair, that Bill 132's title does not have the word "student" in it. What we are attempting to do with Bill 132 is strengthen a multiple number of statutes related to sexual violence, sexual harassment and domestic violence. I'm concerned that we are doing it by ignoring other groups.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Jones. Any additional debate? Seeing none, the question is: Are we in the position to vote? Yes. The question now is being put. Shall the motion carry? All those in favour? All those opposed? The motion is lost.

We move to motion 24. Ms. Jones.

Ms. Sylvia Jones: I move that subsection 17(7) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by striking out "from its students" in the portion before paragraph 1 and substituting "from its students, faculty and staff".

Again, in terms of explaining, it is an attempt to strengthen, not weaken, the legislation.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Jones. Any additional debate or discussion? Ms. Sattler?

Ms. Peggy Sattler: I'm happy to support this motion because I think it is important that the legislation be clear that the sexual violence policy applies to the broader campus community.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate? Ms. Malhi?

Ms. Harinder Malhi: We will not be supporting this motion because each college and university has responsibility for its own labour relations and human resources. The Ministry of Training, Colleges and Universities has no authority with respect to a college or university's human resource issues. A requirement for institutions to report to the minister on incidents of sexual violence involving faculty or staff would be seen as conflicting with the institution's autonomy over human resource matters and collective bargaining rights.

The Vice-Chair (Mr. Jagmeet Singh): Any additional debate? Ms. Scott.

Ms. Laurie Scott: I think what we've been trying to say—I'll just use an example. A student from another university or college visits a friend at a separate college or university and is assaulted. We're saying that where the assault takes place, they cannot—

Ms. Sylvia Jones: Access any supports.

Ms. Laurie Scott: —access any supports or report. They have to go back to their university or their college that they actually are enrolled in and hope that they may get supports, even though that college or university might be apprehensive because it didn't happen on their college or university campus. So I put that out there. It's a real possibility that that person who has been assaulted basically falls through the cracks.

I don't know if the government can provide some clarification, but that's an incident that comes to mind for me that just may not be included. I don't think that is the intent of what we are doing in Bill 132.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate?

Ms. Harinder Malhi: We talked, in some of the earlier motions, about—obviously, we don't want anybody to fall through the cracks in any way. We want the supports to be available. We said that we want to try to make the supports readily available for all students. Regardless of whether they're reporting or they're not reporting, we want to have those supports. Those are things that we've addressed in some of our earlier motions.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Mangat.

Mrs. Amrit Mangat: I agree with my colleague. We don't want anybody to fall through the cracks. Also, government motion 15 already addresses that concern, so we will not be supporting that motion.

The Vice-Chair (Mr. Jagmeet Singh): Any additional debate? Any additional comments? Are we ready to vote? Yes?

Ms. Daiene Vernile: Chair, I was conferring with some colleagues right now. If you could just give me about two minutes to get some clarification.

The Vice-Chair (Mr. Jagmeet Singh): Sure. In this case, this is before the vote, so to allow for more debate

to happen, is everyone in agreement that we allow for—let's say five minutes? Okay. Let's do a recess for five minutes. No? Does it look like we don't need it? Maybe? Yes? I'm going to go with five minutes—yes.

The committee recessed from 1522 to 1526.

The Vice-Chair (Mr. Jagmeet Singh): Thank you so much for that indulgence. We are ready to get back. Thank you very much, Ms. Vernile. Would you like to add any comments?

Ms. Daiene Vernile: Thank you, Chair. I do appreciate the time. I was seeking some detailed clarification from some policy experts with TCU.

If a student faces sexual violence or harassment while she's visiting another campus, of course she's going to seek out immediate health care, which she will not be refused. However, in terms of long-term support, if she's looking for counselling—he or she, I should say—academic accommodations, of course that's going to happen on that person's home campus. So for that reason we don't support this particular recommendation.

Again, just to reiterate: Anyone seeking immediate health care can get it on any campus in Ontario. But in terms of long-term support, counselling and academic accommodation, that will happen at their campus.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Vernile.

Any additional comments or debate? No? Okay. Are we in a position to vote? Yes. Shall the motion carry? All those in favour?

Interjections.

The Vice-Chair (Mr. Jagmeet Singh): I was going to say—that's all right. And all those opposed? You have to listen for the Chair, you know. All right. The motion is lost.

On to motion 25, a PC motion: Ms. Jones?

Ms. Sylvia Jones: I move that paragraph 1 of subsection 17(7) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by adding "faculty or staff of the college or university or other persons visiting the college or university" after "students enrolled at the college or university".

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Jones. Any comments or debate?

Ms. Sylvia Jones: Again, just reinforcing the fact that we're trying to protect everyone on a college campus, not a particular subset.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Jones. Any additional debate? Ms. Malhi.

Ms. Harinder Malhi: Like in the past motions we've talked about, we really have a student focus. We feel that each college and university does have responsibility for its own labour relations and human resources. The Ministry of Training, Colleges and Universities has no authority with respect to the college or university's human resource issues. So we will not be supporting this motion.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Any additional debate or comments? Seeing none, are we in a position to vote now?

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Excellent. That's great. I appreciate the response. Thank you.

Shall the motion carry? All those in favour? And all those opposed? Okay. The motion is lost.

Moving now to motion 25—26; sorry. Counting is sometimes an issue. Motion number 26, a PC motion: Ms. Scott.

Ms. Laurie Scott: I move that paragraph 2 of subsection 17(7) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by adding “faculty, staff and other persons visiting the college or university” after “students”.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or questions? Ms. Scott.

Ms. Laurie Scott: Again, going to the fact that we're trying to encompass the whole community of the campuses, be they faculty, support staff, campus visitors, student visitors etc. We're trying to be all-inclusive and get the big picture, the whole picture.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Scott. Any additional debate or comments? Ms. Malhi.

Ms. Harinder Malhi: I recommend voting against this motion, again because this portion of the legislation is student-focused for us, and we want to continue to maintain that focus.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Jones.

Ms. Sylvia Jones: I think it's important for committee members to be reminded of a court case that is very recent—within the last couple of months—where I believe she was a PhD student. If you oppose this amendment, you are not protecting that individual. So I struggle with why we are hiving off the students without protecting everybody else who works, learns, participates and is on post-secondary campuses.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments? Ms. Vernile.

Ms. Daiene Vernile: A PhD student is still a student. She's enrolled.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Vernile. Any additional comments or debate? Seeing none, are we in a position to vote? Yes? Excellent. Shall the motion carry? All those in favour? All those opposed? The motion is lost.

PC motion 26.1: Ms. Scott.

Ms. Laurie Scott: I move that paragraph 3 of subsection 17(7) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by adding “faculty, staff and other persons visiting the college or university” after “the students”.

Again, this is requiring a larger campus community that is to be looked at to get a clear picture of the number of incidents and complaints of sexual violence reported by faculty and staff. I know the member had mentioned a PhD student. We have students who are working and also

are students, so I think we do have a grey area that may need some clarification in that respect also.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Scott, just a very minor technicality: You had said “the students,” and it's just “students.”

Ms. Laurie Scott: Would you like me to read it all again?

The Vice-Chair (Mr. Jagmeet Singh): No, that's okay. I just wanted to—

Ms. Laurie Scott: Just “students,” yes.

The Vice-Chair (Mr. Jagmeet Singh): Perfect. Thank you for that. Any additional debate, comments, questions, concerns, updates—Facebook or otherwise? Are the members now in a position to vote?

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Okay. The vote shall begin. Shall the motion carry? All those in favour? All those opposed? The motion is lost.

Motion 27 is an NDP motion: Ms. Sattler.

Ms. Peggy Sattler: I move that subsection 17(7) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be struck out and the following substituted:

“Information for minister

“(7) Every college or university described in subsection (2) shall,

“(a) use an anonymous survey administered biannually by the minister to collect from its students and other persons, and provide to the minister such information and data as may be requested by the minister, in the manner and form directed by the minister, relating to,

“(i) perceptions of safety on campus and attitudes regarding sexual violence,

“(ii) experiences related to incidents of sexual violence at the college or university that are not disclosed or reported,

“(iii) experiences requesting and obtaining supports, services and accommodation relating to disclosure of sexual violence that are available at the college or university or in the community,

“(iv) awareness of any initiatives and programs established by the college or university to promote the supports and services available,

“(v) experiences reporting incidents and complaints of sexual violence to the college or university or other bodies, and

“(vi) the implementation and effectiveness of the policy; and

“(b) collect and provide to the minister biannually such data and other information as may be requested by the minister, in the manner and form directed by the minister, relating to the number of incidents and complaints of sexual violence formally reported to the college or university.”

Chair, we heard extensive input from organizations and individuals who appeared before the social policy committee with input into Bill 132 that the current section on information for the minister is problematic and that there needs to be a clear separation between formally

reporting incidents of sexual violence, where data on those formal reports can be collected—a separation between that and overall perceptions and experiences of sexual violence within the campus community.

So this motion requires an anonymous survey to be administered every two years, and it would collect data about perceptions, about experiences of sexual violence that a student or faculty or staff member may never have disclosed, experiences when they have confidentially shared an experience of sexual violence and accessed services, experiences when they have formally reported experiences of sexual violence, and also awareness of what kinds of supports exist at the institution.

The only formal data reporting requirement is around the number of formal reports to the institution. Currently, the language of the legislation requires data to be submitted to the ministry on the number of times that supports, services and accommodation relating to sexual violence are requested and obtained by students enrolled. We heard that those supports and services and accommodation could exist in many, many places on a university campus, so it was going to be onerous, consolidating all that information. But there was also the question about how meaningful just the mere number of times that these services are accessed was. What would be much, much better and richer information would be student perceptions of the supports that were available at the institution.

If I could just add, Chair, I know that there is a government motion coming up, government motion 30, that also talks about a survey being implemented at the institution, but I'm very concerned because motion 30 talks about how the minister "may" conduct this survey. My motion says that this survey "shall" be implemented by the institution. Also, the government's motion doesn't give any kind of time frame for the implementation of the survey. It doesn't say whether it's going to be one time only or whether it's going to be a regular survey that is going to be conducted.

It's important that it be clear that it be conducted on a regular basis, because the first time the survey data is collected, it provides a baseline, and then subsequent surveys can reveal how the institution is doing with its sexual violence policy and whether student perceptions of the supports that are available on campus are improving or are perhaps not improving.

The Vice-Chair (Mr. Jagmeet Singh): Any additional debate?

Ms. Malhi, and then afterwards Ms. Jones.

1540

Ms. Harinder Malhi: We will not be supporting this motion because, as you did refer to the motion that we are bringing forward, the government's motion would address the strong stakeholder support for a campus climate survey as a method to measure the prevalence of sexual violence.

MTCU has already begun consultations with stakeholders, students, violence-against-women advocates, colleges and universities to inform the development of reporting requirements for post-secondary institutions.

This will ensure that the campus climate survey addresses the needs of survivors, students, institutions and others so that reporting requirements reflect the best practices. We'd be looking at other jurisdictions as well.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Ms. Jones?

Ms. Sylvia Jones: I am happy to support this. The reality is, you can't fix something if you don't know where the errors and omissions are. Particularly the fact that you are asking for a survey from "students and other persons," I think we would capture very quickly the individuals who interface and are part of the post-secondary campuses and find out whether they are in fact protected. So I'm happy to support this.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Jones. Any additional debate or comments?

Ms. Peggy Sattler: Can I have a recorded vote?

The Vice-Chair (Mr. Jagmeet Singh): Yes, a recorded vote noted. Any additional comments or debate? No? Okay, are we in a position to vote? Excellent.

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

We're moving to PC motion 28: Ms. Scott?

Ms. Laurie Scott: Mr. Chair, I'd like to withdraw motion 28 and motion 29, actually, and follow up later on, in the appropriate spot, to put another motion in.

The Vice-Chair (Mr. Jagmeet Singh): Done. Motions 28 and 29 are both withdrawn.

Moving to government motion 30: Ms. Malhi?

Ms. Harinder Malhi: I move that section 17 of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by adding the following subsections:

"Survey

"(8.1) The minister may conduct, or may direct a college or university described in subsection (2) to conduct or participate in, a survey of students and other persons as identified by the minister, relating to the effectiveness of the college's or university's sexual violence policy, to the incidence of sexual violence at the college or university and to any other matter mentioned in paragraphs 1 to 4 of subsection (7).

"Same

"(8.2) A college or university that is directed by the minister to conduct a survey described in subsection (8.1) shall disclose the results of the survey to the minister."

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Malhi. Any comments or debate? Ms. Jones.

Ms. Sylvia Jones: Again, we have the word “may.” I’m not going to rehash a lot of the reasons why I prefer the word “shall”; suffice it to say that in a month or a year, when we are on to a different topic, this gets lost. By inserting the word “shall,” if you would accept that as a friendly amendment, I would be pleased to support this.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler?

Ms. Peggy Sattler: I had mentioned before, and I’ll reiterate, that I think that the word “may” is a real concern. It opens up the possibility that this survey will never be conducted.

But more troubling, I think, is the fact that there is nothing in this motion that talks about the frequency of when this survey is going to be implemented. If it’s just a one-time survey, the value is going to be very limited. We need to be conducting these surveys on a regular basis so that there is baseline data collected and then you can use that as a benchmark to determine what the climate is of sexual violence within the institution. This motion does not say anything about whether this is one time or if it’s going to be a regularly occurring survey, and if it will be implemented at all.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Ms. Vernile.

Ms. Daiene Vernile: I will say that there is a very strong commitment to collect this data, and that MTCU has already begun consultations with stakeholders at the province’s post-secondary institutions.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Vernile. Any other debate, any other comments? Seeing none—yes?

Ms. Peggy Sattler: Can I have a recorded vote?

The Vice-Chair (Mr. Jagmeet Singh): Yes, certainly. A recorded vote is requested. Are we in a position to vote?

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Yes. Shall the motion carry?

Ayes

Anderson, Dhillon, Malhi, Mangat, Vernile.

Nays

Jones, Sattler, Scott.

The Vice-Chair (Mr. Jagmeet Singh): The motion carries.

Motion 31 is a PC motion. Ms. Jones.

Ms. Sylvia Jones: I move that subsection 17(9) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by striking out “students enrolled at colleges and universities described in subsection (2)” in the portion before clause (a) and substituting “students enrolled at colleges and universities described in subsection (2), faculty and

staff of such colleges and universities and visitors to such colleges and universities”.

I trust that I do not have to explain my reasons behind this amendment.

The Vice-Chair (Mr. Jagmeet Singh): I think you are absolutely correct. You’ve been very clear. Thank you for that, Ms. Jones.

Debate or comments? Ms. Malhi.

Ms. Harinder Malhi: We will not be supporting this motion, because the current language in the bill reflects the public action plan’s focus on students. The government recommends maintaining the student focus of the legislation and any subsequent regulations.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. I don’t think that came as a massive surprise.

Interjection.

The Vice-Chair (Mr. Jagmeet Singh): You can put that on the record, Ms. Jones.

Any other comment or debate? Seeing none, are we in a position to vote?

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Okay. Shall the motion carry? All those in favour? All right. All those opposed? The motion is lost.

Ms. Sylvia Jones: Chair, if I may?

The Vice-Chair (Mr. Jagmeet Singh): Yes. The vote is done, though.

Ms. Sylvia Jones: I note with interest that you use “shall the motion carry.”

The Vice-Chair (Mr. Jagmeet Singh): Yes. That is because it’s prescriptive. Well said.

We are now on to motion 32. It’s an NDP motion. Ms. Sattler, I recognize you.

Ms. Peggy Sattler: I move that subsection 17(9) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by striking out “involving students enrolled” in the portion before clause (a).

The Vice-Chair (Mr. Jagmeet Singh): Any comments or debate?

Ms. Peggy Sattler: This is just another attempt to ensure that the regulations that are made by the Lieutenant Governor in Council relate to sexual violence more broadly at colleges and universities, and not only to students enrolled. It’s restrictive language that I think weakens the effectiveness of the bill.

The Vice-Chair (Mr. Jagmeet Singh): Any additional debate or comments? Ms. Malhi.

Ms. Harinder Malhi: The government will not be supporting this motion, because we’ve talked about it being a student focus as well as to other members of faculty. We’ve discussed that it would be interfering with labour and human resource policies of the schools. We will not be supporting it.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments? Ms. Sattler.

Ms. Peggy Sattler: Recorded vote.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote. Any additional comments? No? Okay. Are we ready to vote?

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Excellent. Recorded vote. Shall the motion carry?

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to motion 33, NDP motion: Ms. Sattler.

Ms. Peggy Sattler: I move that clause 17(9)(a) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by striking out “how student input shall be provided and considered” and substituting “how input shall be provided and incorporated”.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate?

Ms. Peggy Sattler: Yes. Certainly if, as we’ve heard many times today, the government’s focus is making sure that the sexual violence policy is very specific to students, this amendment strengthens the student voice in the development of the policy. It requires input from students and others to be incorporated into the regulations, not just considered and dismissed.

1550

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Any additional comments or debate? Ms. Malhi.

Ms. Harinder Malhi: Again, we will not be supporting the motion because we feel that the current language in the bill does reflect that there is a student focus and we will be taking under consideration all of the recommendations made by our students, because we want to be able to cater to their needs and listen to what they are telling us.

The Vice-Chair (Mr. Jagmeet Singh): Any other comments or debate?

Ms. Peggy Sattler: Recorded vote.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote noted. Any other comments or debate? Seeing none, are we ready to vote? Yes? Excellent. Shall the motion carry?

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to PC motion number 34: Ms. Jones.

Ms. Sylvia Jones: I move that clause 17(9)(a) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by striking out “student input” and substituting “input from students, faculty and staff and from local community sexual assault centres”.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate?

Ms. Sylvia Jones: We’re just trying to bring in everyone and not focus on one subsection.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Jones. Ms. Malhi?

Ms. Harinder Malhi: Again, we will not be supporting this motion. For this specific section, when we looked at it, we really did want to keep it student-focused. They are a particularly vulnerable group, and this portion of the legislation is focused to cater to the needs of the students.

The Vice-Chair (Mr. Jagmeet Singh): Any additional debate? Seeing none, are we in a position to vote? Okay.

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to PC motion number 35: Ms. Scott.

Ms. Laurie Scott: I move that clause 17(9)(e) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by striking out “students affected by sexual violence” and substituting “students, faculty, staff and other persons affected by sexual violence”.

Again, Mr. Chair, we’re trying to be more inclusive of the reality of community on the campuses and not just have it as “students.”

The Vice-Chair (Mr. Jagmeet Singh): Any additional debate or comments?

Ms. Harinder Malhi: The government will not be supporting this motion because of our student focus in this portion of the legislation.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate? Seeing none, are we in a position to vote? Okay.

Shall the motion carry? All those in favour? All those opposed? The motion is lost.

NDP motion number 36: Ms. Sattler.

Ms. Peggy Sattler: I move that clause 17(9)(e) of the Ministry of Training, Colleges and Universities Act, as

set out in section 1 of schedule 3 to the bill, be amended by striking out “students” and substituting “persons”.

This is just another way to achieve what we were previously talking about: to ensure that the policy is broad enough to encompass all members of the campus community.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any additional debate or comments?

Ms. Harinder Malhi: The government, again, will not be supporting this motion because we do want to focus on our vulnerable group of students. This portion of the legislation is specifically made for students. That’s why the language reflects what it does.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Any additional comments or debate? Seeing none, are we in a position now to vote? Okay.

Shall the motion carry? All those in favour? All those opposed? The motion is lost.

The next motion is NDP motion number 37: Ms. Sattler.

Ms. Peggy Sattler: I move that clause 17(9)(f) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended by adding “faculty, staff and other persons” after “students” wherever that word appears.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any additional comments or debate? Ms. Sattler?

Ms. Peggy Sattler: I think that it’s important to ensure that the provisions that may be introduced by the Lieutenant Governor in Council encompass the broader campus community and not be restricted to students.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Ms. Malhi?

Ms. Harinder Malhi: The government will not be supporting this motion because Bill 132 deliberately focuses on increasing protections for students in sections 3 and 5.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Additional comments or debate? Ms. Vernile.

Ms. Daiene Vernile: I just wanted to add and to remind everyone that when it comes to faculty and staff, if they are facing issues, our labour relations legislation and policies do cover them.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Vernile. Ms. Jones?

Ms. Sylvia Jones: I just want to remind everybody that it doesn’t cover visiting individuals who are on campus. Workplace health and safety will not cover someone who’s gone to visit a friend, a spouse, a brother. They’re not protected under workplace health and safety, and they’re certainly not being protected because you’re eliminating the ability for us to widen Bill 132 to protect everyone who’s on campuses.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Jones. Additional comments or debate?

Ms. Peggy Sattler: Recorded vote, Chair?

The Vice-Chair (Mr. Jagmeet Singh): Ms. Sattler is requesting a recorded vote. Are we now in a position to vote? Yes.

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to PC motion 38: Ms. Jones.

Ms. Sylvia Jones: I move that clause 17(9)(f) of the Ministry of Training, Colleges and Universities Act, as set out in section 1 of schedule 3 to the bill, be amended,

(a) by striking out “sexual violence involving students” in the portion before subclause (i) and substituting “sexual violence involving students, faculty, staff and other persons”; and

(b) by striking out “sexual violence involving students” in subclause (ii) and substituting “sexual violence involving students, faculty, staff and other persons”.

Chair, just to be clear, these are not ideas that the PC caucus came up with out of the air. It actually was raised a number of times. Over a dozen different presenters to the committee on Bill 132 specifically requested that we amend the phrase “specifically and solely addresses sexual violence involving students,” so that the entire campus community, including students, faculty and other employees, will be covered by the sexual violence policy. These are not our ideas; this is what we heard when the public came and said, “You can make this a stronger bill.”

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Jones. Any additional comments or debate? Ms. Mangat.

Mrs. Amrit Mangat: Government motion 15 addresses that concern. The government will not be supporting that motion because it reduces the focus on students.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Mangat. Any additional comments or debate? Seeing none, are we now in a position to vote? Yes? Excellent. Shall the motion carry? All those in favour? All those opposed? The motion is lost.

We have an additional motion that was handed out.

Interjection.

The Vice-Chair (Mr. Jagmeet Singh): Sorry. We’re in a position to vote on schedule 3, section 1, as amended. Shall schedule 3, section 1, as amended, carry? Carried.

Now we’re addressing PC motion 38.1. Does everyone have motion 38.1? Can I get a showing of hands? Everyone has the motion? Excellent. Now we’re addressing motion 38.1: Ms. Scott.

1600

Ms. Laurie Scott: I move that schedule 3 to the bill be amended by adding the following section:

“1.1(1) Section 17 of the act, as enacted by section 1, is amended by adding the following subsection:

“Annual report to board of governors

“(7.1) Every college or university described in subsection (2) shall provide its board of governors with an annual report setting out, in respect of the preceding year, the information described in paragraphs 1, 2, 3 and 4 of subsection (7).”

“(2) Subsection 17(8) of the act, as enacted by section 1, is amended by adding ‘or to its board of governors pursuant to subsection (7.1)’ after ‘provided to the minister pursuant to subsection (7).”

This makes the regulations more timely so that the government has time to set out and consult with—on proper regulations. It shapes up a bit of a time schedule.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Scott. Any additional questions or comments regarding this motion? Ms. Malhi.

Ms. Harinder Malhi: The government will be supporting this motion. Thank you for bringing it forward.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Any additional comments or debate? Yes, Ms. Jones.

Ms. Sylvia Jones: Can I say hallelujah?

The Vice-Chair (Mr. Jagmeet Singh): Yes, you can.

Ms. Daiene Vernile: You may—or you shall.

The Vice-Chair (Mr. Jagmeet Singh): Hansard shall recognize Ms. Jones saying “hallelujah.”

All right. Are we ready to vote?

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Excellent. Shall the motion carry? All those in favour? All those opposed? No one is opposed. The motion is carried.

We’re moving to schedule 3, section 2 now. We have government motion 39. Ms. Malhi.

Ms. Harinder Malhi: I move that section 2 of schedule 3 to the bill be struck out and the following substituted:

“Commencement

“This schedule comes into force on January 1, 2017.”

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Malhi. Any comments or debate? Yes, Ms. Vernile?

Ms. Daiene Vernile: We thought it was necessary to do that because bringing it in six months from now will put us into the summer, when students aren’t at university or college. It makes more sense to go for nine months.

The Vice-Chair (Mr. Jagmeet Singh): Okay. Thank you for that, Ms. Vernile. Any additional comments or debate? Yes, Ms. Malhi?

Ms. Harinder Malhi: We’re going to withdraw this and put forward an amended motion.

The Vice-Chair (Mr. Jagmeet Singh): No problem. We are now going to withdraw this. The mover is always

allowed to withdraw. The motion is withdrawn and there’s a new motion being handed out.

Does everyone have the new motion? It is government motion 39.1. Ms. Malhi, you’re moving it?

Ms. Harinder Malhi: Yes. I move that section 2 of schedule 3 to the bill be struck out and the following substituted:

“Commencement

“2.(1) Subject to subsection (2), this schedule comes into force on January 1, 2017,

“Same

“(2) Section 1.1 comes into force on a day to be named by proclamation of the Lieutenant Governor.”

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Malhi. Any comments or debate? Yes, Ms. Jones?

Ms. Sylvia Jones: Chair, I might have to withdraw my hallelujah.

The Vice-Chair (Mr. Jagmeet Singh): Motion on the table to withdraw “hallelujah.”

Ms. Sylvia Jones: Now we have no date, no schedule and no idea when the previously supported motion will actually be proclaimed. I know, and I’m sure many of us around this table know, that there are many, many pieces of parts of legislation that sit in limbo waiting to be proclaimed for years. I would hope that we were not given false hope or that this is some kind of stretch goal where we’re never going to see the previous section proclaimed.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Jones. Any additional comments or debate?

Interjections.

The Vice-Chair (Mr. Jagmeet Singh): There seems to be some consulting going on. Further debate at all? No? Okay. There is no further debate at this point. Are we ready to vote?

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Okay. Shall the motion carry? All those in favour? All those opposed? The motion is carried.

We are now in a position to vote on schedule 3, section 2, as amended. The question is now: Shall schedule 3, section 2, as amended, carry? I’m not hearing any noes. Okay. Carried.

Shall schedule 3 in its entirety, as amended, carry? Carried.

Now we’re moving to schedule 4. We have NDP motion 40, schedule 4, section 1. Ms. Sattler.

Ms. Peggy Sattler: I move that clause (a) of the definition of “workplace harassment” in subsection 1(1) of the Occupational Health and Safety Act, as set out in subsection 1(1) of schedule 4 to the bill, be struck out and the following substituted:

“(a) engaging in a course of vexatious comment or conduct in person or online against a worker in a workplace that is known or ought reasonably to be known to be unwelcome, and whether, in the case of conduct, it is physical or psychological in nature, or”

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any comments or debate?

Ms. Peggy Sattler: This was a point that was raised with the committee when we sought public input on Bill 132. There was a concern that the legislation be clear, that online conduct should also be captured in the legislation and that the legislation should be explicit that online vexatious comments or conduct is addressed. Also, this change in the definition clarifies that the conduct can be physical or psychological in nature, that the vexatious conduct can create a psychological harm. It doesn't just have to be some kind of unwanted physical conduct.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Any additional comments or debate? Ms. Malhi.

Ms. Harinder Malhi: The government will not be supporting this motion. The workplace harassment definition has been drafted very broadly to allow broad interpretation of the various types of unacceptable behaviours that could constitute workplace harassment. The motion would single out a few modes of behaviours and may therefore exclude others, such as harassment over the telephone. So we would not be supporting it.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Any additional debate or discussion? Seeing none, are we in a position—

Ms. Peggy Sattler: Recorded vote?

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote noted. On motion 40, are we ready to vote? Yes.

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to motion 41, an NDP motion: Ms. Sattler.

Ms. Peggy Sattler: I move that the definition of “workplace sexual harassment” in subsection 1(1) of the Occupational Health and Safety Act, as set out in subsection 1(2) of schedule 4 to the bill, be struck out and the following substituted:

“‘workplace sexual harassment’ means,

“(a) engaging in a course of vexatious comment or conduct in person or online against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, and whether, in the case of conduct, it is physical or psychological in nature,

“(b) making a sexual solicitation or advance in person or online, whether the solicitation or advance is physical or psychological in nature, where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the

person knows or ought reasonably to know that the solicitation or advance is unwelcome, or

“(c) a reprisal or threat of reprisal in person or online for the rejection of a sexual solicitation or advance, whether the reprisal or threat of reprisal is physical or psychological in nature, where the reprisal or threat is made by a person in a position to confer, grant or deny a benefit or advancement to the worker; (‘harcèlement sexuel au travail’)”

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The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Any comment or debate?

Ms. Peggy Sattler: Similar to the previous attempt to address the definition of “workplace sexual harassment,” this clarifies that the vexatious comments or conduct, the sexual solicitations or advances can be in person or online and that they can also be physical or psychological in nature.

It also includes a new part of the definition that deals with reprisal: Making a reprisal or threatening a reprisal can also constitute workplace sexual harassment.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Any additional debate or comment? Ms. Malhi?

Ms. Harinder Malhi: The government will not be supporting this motion because the “workplace sexual harassment” definition, as set out in Bill 132, would already encompass in-person or online behaviours, whether comments, conduct or unwelcome sexual solicitations or advances.

In addition, the terms used in the motion are not defined. For example, it's not clear what “conduct of a psychological nature” would be or would mean. So because it's not clear, we don't think that we can support it.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Additional comment or debate? Seeing none, are we ready to vote—yes, sorry, Ms. Sattler?

Ms. Peggy Sattler: I would just point out that the previous definitions in Bill 132, under schedule 3, talked about “whether the act is physical or psychological in nature”. That phrase was lifted from the earlier definition of sexual violence that is used in the legislation.

The Vice-Chair (Mr. Jagmeet Singh): Any additional debate or comments?

Ms. Peggy Sattler: Could I have a recorded vote?

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote noted. No further debate? Are we ready to vote?

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote: Shall the motion carry?

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): By a really close margin, the motion is lost.

Moving to NDP motion number 42: Ms. Sattler?

Ms. Peggy Sattler: I move that subsection 1(3) of schedule 4 to the bill be struck out.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any additional comments or debate?

Ms. Peggy Sattler: Leaving that subsection in the legislation provides too much flexibility, opportunity or wiggle room for actions that should constitute workplace sexual harassment to be regarded as just management of employees.

It's important that this subsection be removed from the legislation so that that wiggle room for employers is taken out.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Ms. Malhi?

Ms. Harinder Malhi: The government will not be supporting this motion because the provision will actually clarify what workplace harassment is not, therefore creating more certainty about what workplace harassment is. This clarity will be useful to all workplace parties, given the context of the enhanced employer duties with this bill.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Any additional comments or debate? Seeing none, are we ready for a vote on this?

Ms. Daiene Vernile: Yes.

Ms. Peggy Sattler: Recorded vote.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote noted. We are proceeding to the vote. Shall the motion carry?

Ayes

Sattler.

Nays

Anderson, Dhillon, Jones, Malhi, Mangat, Scott, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Now we are in a position to vote on schedule 4, section 1. The question is, shall schedule 4, section 1, carry? Carried.

Moving now to NDP motion number 43, which proposes a new schedule 4, section 1.1, NDP motion 43: Ms. Sattler.

Ms. Peggy Sattler: I move that schedule 4 to the bill be amended by adding the following section:

"1.1 The act is amended by adding the following section:

"Information and instruction, sexual violence

"32.0.5.1(1) An employer shall ensure that every manager, supervisor and worker receives information and instruction about responding to disclosures of workplace sexual violence.

"Definition

"(2) In this section,

"workplace sexual violence" means any sexual act or act targeting a worker's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a worker in a workplace without the worker's consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, sexual exploitation, sexual solicitation and verbal or non-verbal conduct of a sexual nature, and may include an act that occurs online or in the context of a domestic or intimate partner relationship."

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate? Ms. Sattler.

Ms. Peggy Sattler: Yes. Certainly, the government has heard repeatedly throughout its consultations on the Changing Workplaces Review, the gender wage gap consultation, the Select Committee on Sexual Violence and Harassment, and this particular committee, Bill 132, that there is a need for mandatory training in the workplace about responding to disclosures of both sexual violence and domestic violence. This was a recommendation that was actually included in the final report of the Select Committee on Sexual Violence and Harassment.

During the process of the select committee we received a presentation indicating that voluntary materials to provide information and instruction in the workplace have an uptake of approximately 1% of Ontario workplaces. So 1% of all Ontario employers are taking advantage of the materials that have been developed by the province about sexual violence and domestic violence in the workplace. There is a need to make the training mandatory rather than voluntary.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate? Ms. Malhi.

Ms. Harinder Malhi: The government will be voting against this motion because, as a result of the amendments made under Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters, workplaces in Ontario are required to have workplace violence and workplace harassment policies, programs, measures and procedures in place.

One intent of requiring such policies and programs is to outline a process by which complaints and disclosures of violence in the workplace, including sexual violence, would be shared and managed within the workplace.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate? Ms. Sattler.

Ms. Peggy Sattler: We heard during the Select Committee on Sexual Violence and Harassment that the problem is that these policies exist but employers are not taking advantage of the opportunity to provide training on implementing the policies to their staff. This amendment requires this training to be provided in all workplaces in the province, not just that 1% of employers who are currently implementing the training.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate? Seeing none, are we ready to vote on this?

Ms. Peggy Sattler: Can I have a recorded vote?

The Vice-Chair (Mr. Jagmeet Singh): A recorded vote is requested. Shall the motion carry?

Ayes

Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion carries—just kidding. The motion is lost.

Now we are moving to NDP motion number 44. Ms. Sattler.

Ms. Peggy Sattler: I move that schedule 4 to the bill be amended by adding the following section:

“1.2 The act is amended by adding the following section:

“Information and instruction, domestic violence

“32.0.5.2 An employer shall ensure that every manager, supervisor and worker receives information and instruction about domestic violence in the workplace.”

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The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any additional comments or debate?

Ms. Peggy Sattler: No. I think I shared with members of the committee the rationale for the previous motion. The Centre for Research and Education on Violence Against Women and Children did a national survey about domestic violence in the workplace. They discovered that approximately 40% of people who had experienced domestic violence at home disclosed their experience of domestic violence to a co-worker. So co-workers are frequently in the position of getting this information about a co-worker who is in a situation of domestic violence at home, and the employee may not have any kind of resources or knowledge about how to effectively address the disclosure.

This amendment ensures that everyone in a workplace—every manager, every supervisor, every worker—is trained in how to identify the signs of domestic violence and how to respond to a disclosure of domestic violence when it is shared by a co-worker.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any additional debate or discussion? Ms. Malhi.

Ms. Harinder Malhi: We’ll be voting against this motion. The government is very concerned about domestic violence in our province, but as a result of amendments made under Bill 168, workplaces in Ontario are required to have workplace violence policies, programs, measures and procedures in place to protect workers from violence. The Ministry of Labour has provided assistance and information on domestic violence in work-

places. We are committed to helping with domestic violence, but in this case, we will be voting against the motion.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Any additional comments or debate? Yes, Ms. Sattler?

Ms. Peggy Sattler: Yes. Again, during the select committee process, we heard that the government has invested resources into the development of a program called Make It Our Business, which is directed to educating workplaces about domestic violence, but as I said before, only about 1% of all Ontario employers are taking advantage of those resources. This is a program that was funded by the government. It’s basically sitting on the shelf because employers are not taking advantage of it. This amendment would require all workplaces to have training and instruction available to raise awareness about domestic violence in the workplace.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any additional debate or discussion? Are we ready to move to a vote?

Ms. Peggy Sattler: Recorded vote, please.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote noted.

Ayes

Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

The next motion is motion 45, NDP motion: Ms. Sattler.

Ms. Peggy Sattler: I move that schedule 4 to the bill be amended by adding the following section:

“1.3 Section 32.0.6 of the act is amended by adding the following subsection:

“Consultation

“(1.1) The program shall be developed and maintained in consultation with the committee, if any, or a health and safety representative, if any.”

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much. Any questions or debate on this motion? Yes, Ms. Sattler?

Ms. Peggy Sattler: This amendment requires that employers consult with their health and safety committees, if they exist in the workplace, or a health and safety representative on what should be in the program because these are people who have the best knowledge and experience about what’s needed in the workplace. They’re also in the best position to monitor the effectiveness of the program or policy. Again, this was a recommendation that was made to the social policy committee during the public input on Bill 132.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Ms. Malhi.

Ms. Harinder Malhi: I recommend voting against this motion because the government will move a motion to amend section 32.0.6 of the Occupational Health and Safety Act to achieve the same objective as this motion.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Any additional debate? Seeing none, are we ready to vote?

Ms. Daiene Vernile: Yes.

Ms. Peggy Sattler: Recorded vote.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote noted.

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): Thank you. The motion is lost.

Right now we're moving to motion 46, which is in schedule 4, section 2. Government motion: Ms. Malhi?

Ms. Harinder Malhi: I move that section 2 of the bill be amended by adding the following subsection:

“(1) Section 32.0.6(1) of the act is repealed and the following substituted:

“(1) An employer shall, in consultation with the committee or a health and safety representative, if any, develop and maintain a written program to implement the policy with respect to workplace harassment required under clause 32.0.1(1)(b).”

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Any comments or debate? Ms. Malhi?

Ms. Harinder Malhi: The motion would require an employer to develop and maintain a written program respecting workplace harassment in consultation with the joint health and safety committee. This would help with any kind of issues they were having. I'm hoping for your support.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Malhi. Are there any additional comments or debate? Ms. Jones?

Ms. Sylvia Jones: I will be supporting this motion because it has the word “shall” in it, instead of “may.”

The Vice-Chair (Mr. Jagmeet Singh): Excellent, Ms. Jones. Thank you for that. Any additional comments or debate? Ms. Vernile?

Ms. Daiene Vernile: We shall be so happy to have your support.

The Vice-Chair (Mr. Jagmeet Singh): So many people are feeling the word “shall”; it's great. It's awesome.

Any other comments or debate? Shall we move towards the vote?

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Excellent. Shall the motion carry? All those in favour? All those opposed? The motion is carried.

The next motion is NDP motion 47: Ms. Sattler?

Ms. Peggy Sattler: I move that section 2 of schedule 4 to the bill be struck out and the following substituted:

“2. Subsection 32.0.6(2) of the act is repealed and the following substituted:

““Contents

“(2) Without limiting the generality of subsection (1), the program shall include any prescribed elements and written measures and procedures setting out,

“(a) the process for workers to report incidents of workplace harassment to the employer or supervisor;

“(b) the process for workers to report incidents of workplace harassment to a person other than the employer or supervisor, if the employer or supervisor is the alleged harasser;

“(c) how incidents or complaints of workplace harassment will be investigated by an impartial person described in section 55.3;

“(d) how information obtained about an incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed, except when the disclosure is necessary to protect the worker who has allegedly experienced workplace harassment or other workers from workplace harassment, unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law;

“(e) how a worker who has allegedly experienced workplace harassment and the alleged harasser, if he or she is a worker of the employer, will be informed of the results of the investigation and of any corrective action that has been or that will be taken as a result of the investigation;

“(f) the process of notifying, which shall not include identifying information about any individuals involved except as specified, the committee, if any, of

“(i) the fact that an incident of workplace harassment was reported to the employer or supervisor,

“(ii) the fact that an investigation is taking place, the progress of the investigation and when it is concluded, and

“(iii) the results of the investigation and whether any corrective action has been taken or will be taken as a result of the investigation, including only such identifying information necessary to protect the worker who has allegedly experienced workplace harassment or other workers from workplace harassment; and

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“(g) the process for reporting to the committee, if any,

“(i) the number of incidents and complaints of workplace harassment reported by workers and the prescribed information about the incidents and complaints,

“(ii) the number of open, ongoing and closed investigations, and

“(iii) a summary of the results of each investigation and the actions taken by the employer to respond to the incident or complaint of workplace harassment and to prevent further workplace harassment against the worker who allegedly experienced workplace harassment or other workers.”

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any comments or debate?

Ms. Peggy Sattler: Yes. This provides a much more proactive role for the joint health and safety committee. It allows the joint health and safety committee to be informed in an ongoing way about what is happening with regard to workplace sexual harassment within their workplace. I think that this will enable the joint health and safety committee to develop a much more effective program when they have this kind of information about how prevalent workplace sexual harassment is and what has happened as a result of the investigations that have been conducted.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Any additional comments or debate? Ms. Malhi.

Ms. Harinder Malhi: The government will not be supporting this motion. The Ministry of Labour does recognize the importance of joint health and safety committees and the health and safety representatives in supporting the internal responsibility system. The government, through motion 46, has strengthened the role of the joint health and safety committee or health and safety representative, if any, in the development and maintenance of workplace harassment programs.

This motion could compromise confidentiality and the privacy of workers who have complained about workplace harassment.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Malhi. Additional comments or debate? Seeing none, are we prepared to vote on this?

Ms. Peggy Sattler: Recorded vote, please.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote noted. Are we prepared to vote? Yes? Shall the motion carry?

Ayes

Sattler.

Nays

Anderson, Jones, Malhi, Mangat, Scott, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

We’re now in a position to vote on schedule 4, section 2, as amended. The question now put to the committee is, shall schedule 4, section 2, as amended, carry? Carried.

We’re moving now to schedule 4, section 3. The first motion is NDP motion 48: Ms. Sattler.

Ms. Peggy Sattler: I move that clause 32.0.7(1)(a) of the Occupational Health and Safety Act, as set out in

section 3 of schedule 4 to the bill, be amended by adding “by an impartial person described in section 55.3” at the end.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or debate? Ms. Sattler, then Ms. Malhi.

Ms. Peggy Sattler: Again, as with all of the motions that I’ve brought forward, this was recommended to the committee by stakeholders who appeared before the committee during the public input. It was felt that it is important to emphasize that the person who is conducting the investigation has to be an impartial person. There are currently no provisions in the legislation for training on how to conduct an investigation, and without an assurance of the impartiality of the investigator, it could really compromise the effectiveness or the quality of the investigation that’s conducted.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Moving now to Ms. Malhi.

Ms. Harinder Malhi: The government will not be supporting this motion because the proposed amendments in Bill 132 do enhance the employer duties with respect to workplace harassment, including a requirement for employers to ensure that an appropriate investigation is carried out. The provision in Bill 132 for investigations is purposely broad to allow employers the flexibility to deal appropriately with workplace harassment from clients, students, other workers or supervisors.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Malhi. Any additional debate, questions or comments? Seeing none, are we in a position—

Ms. Peggy Sattler: Recorded vote.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote noted. Are we in a position to vote on this bill? Yes? Shall the motion carry?

Ayes

Sattler.

Nays

Anderson, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

NDP motion 49. Ms. Sattler.

Ms. Peggy Sattler: I move that clause 32.0.7(1)(c) of the Occupational Health and Safety Act, as set out in section 3 of schedule 4 to the bill, be amended by adding “in consultation with the committee, if any, or the health and safety representative, if any” after “as often as necessary”.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any comments or debate? Ms. Sattler.

Ms. Peggy Sattler: Currently, the language of the bill requires the program to be reviewed as often as necessary, but it does not indicate that there would be a role for the joint health and safety committee or the health and safety representative in reviewing the program. This

amendment clarifies the role of the committee or the representative.

Again, this was recommended to us by people who appeared before the committee.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Ms. Malhi.

Ms. Harinder Malhi: I recommend voting against this motion, because Bill 132 sets out a new employer duty to review the workplace harassment program. Due to the frequency with which the program must be reviewed, adding a specific role for the joint health and safety committee or the health and safety representative would not be appropriate. This duty should more properly remain with the employer.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Ms. Jones.

Ms. Sylvia Jones: I like this amendment, because it actually involves both employers—managers—and employees. There is a representation across the board on health and safety committees; that's why, by their very nature, they're called joint health and safety committees. I'm happy to support it.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Jones. Any additional debate or discussion?

Ms. Peggy Sattler: Recorded vote.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote noted. Are we ready to vote?

Shall this motion carry?

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to NDP motion 50. Ms. Sattler.

Ms. Peggy Sattler: I move that subsection 32.0.7(1) of the Occupational Health and Safety Act, as set out in section 3 of schedule 4 to the bill, be amended by striking out "and" at the end of clause (c) and by adding the following clause:

"(c.1) he or she takes all other reasonable measures to prevent workplace harassment and to promote respect and dignity in the workplace, recognizing that all workers have a right to work in an environment free of workplace harassment; and"

The Vice-Chair (Mr. Jagmeet Singh): Any comments or debate? Ms. Sattler.

Ms. Peggy Sattler: One of the concerns about the way this schedule is currently structured is that there is no blanket employer obligation to prevent workplace harassment. When it talks about protecting workers from sexual harassment in the workplace, it just talks about after the fact. It sets out a whole process for what em-

ployers are supposed to do after they've discovered that workplace sexual harassment is taking place.

This is a new motion that requires employers to take reasonable measures to actually prevent workplace harassment. This would be before the fact, not just after the fact.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler.

Just to make sure that we're clear: If you note the way it was typed, it says "or workplace harassment," but Ms. Sattler correctly noticed that typo and said "of."

Ms. Peggy Sattler: Yes, it was a typo.

The Vice-Chair (Mr. Jagmeet Singh): I just want to make sure it's clear that there's no issue with it being "of" instead of "or."

All right, we have Ms. Malhi.

Ms. Harinder Malhi: The government will be voting against this motion. The proposed amendments in Bill 132 build upon the current requirements in the Ontario Health and Safety Act regarding workplace harassment. They are consistent with Ontario's human rights scheme.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Ms. Vernile.

Ms. Daiene Vernile: I think it's very aspirational to expect an employer to try to prevent workplace harassment. Let's say we had that in place and you did have an act of harassment. How do we penalize the employer now, even if he or she tried to prevent it in the first place? Are we to hold them accountable for that? Are they a failure?

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Forgive me, but I think it's nonsensical, and you cannot expect an employer to prevent workplace harassment. They can try to educate their workers; they can try to reach out to them to let them know what the expectations are, but to actually expect them to prevent it when they have no control over that—if you've got someone in the workplace who, even after education, is going to act like a predator, how does the employer stop that?

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Vernile. Any additional comments? Ms. Sattler.

Ms. Peggy Sattler: The problem with section 32.0.7 is that it talks about employers' obligations to protect—protect—workers from workplace harassment. That suggests that there would be some preventative measures put in place, but the rest of that clause goes on to talk about what the employer is going to do after the harassment has already occurred.

All this motion does is require an employer to take reasonable measures to prevent future incidents of workplace harassment, instead of just waiting for the harassment to happen and then investigating after the fact.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Ms. Jones.

Ms. Sylvia Jones: I think it's a reasonable amendment that the vast majority of employers in the province of Ontario already attempt to do, and I'm happy to support it.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Jones. Any other concerns, comments, questions? Yes?

Ms. Peggy Sattler: Recorded vote.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote noted. Are we ready to vote now? Excellent. Shall the motion carry?

Ayes

Jones, Sattler, Scott.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to motion 51, NDP motion: Ms. Sattler.

Ms. Peggy Sattler: I move that section 32.0.7 of the Occupational Health and Safety Act, as set out in section 3 of schedule 4 to the bill, be amended by adding the following subsection:

“Same

“(1.1) For greater certainty, the employer duties set out in section 25, the supervisor duties set out in section 27, and the worker duties set out in section 28 apply, as appropriate, with respect to workplace harassment.”

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Any comments or questions? Ms. Jones.

Ms. Sylvia Jones: It’s really more of a question. I pulled out the duties and they seem very unrelated to what you’re talking about. It’s talking about equipment, materials, protective devices. I guess I’m looking for clarification if I could, Chair, on what you believe this amendment would assist.

The Vice-Chair (Mr. Jagmeet Singh): Sure. I’d normally give the opportunity for the mover to explain, and I forgot to do that. Ms. Sattler?

Ms. Peggy Sattler: This just strengthens the language around employer duties, supervisor duties and worker duties. It’s flowing from 32.0.7.1, so it’s adding a new section, 1.1, after that clause in the bill.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any additional comments? Ms. Malhi.

Ms. Harinder Malhi: The government will be voting against this motion. The motion would be inconsistent with the current scheme of the act, which focuses on physical health and physical safety and which has been formulated to deal with these sorts of hazards.

In addition, this motion would result in negative consequences for the worker who has been harassed.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Additional comments or questions? Seeing none, are we in a position to vote? Okay.

Ms. Sattler, you’ve been requesting recorded votes. I’m assuming that that’s for everything?

Ms. Peggy Sattler: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Continuing with that, recorded vote. Shall the motion carry?

Ayes

Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Motion 52, PC motion: Ms. Jones.

Ms. Sylvia Jones: I move that section 3 of schedule 4 to the bill be amended by adding the following section:

“Ministry best practices

“32.0.9 The ministry shall develop best practices for the policies and programs with respect to workplace violence and workplace harassment that employers are required to prepare under this part and shall make the best practices available to the public by whatever means the ministry considers appropriate.”

The Vice-Chair (Mr. Jagmeet Singh): Questions and comments? Ms. Jones, would you like to provide an explanation?

Ms. Sylvia Jones: Yes. Essentially, what we’re trying to do with this motion is that there are some good examples out there and we’re trying to encourage the ministry to share those. As opposed to always just highlighting what is wrong, they could also play a role in showing employers a better way.

The Vice-Chair (Mr. Jagmeet Singh): Any other comments or questions? Ms. Malhi.

Ms. Harinder Malhi: The government will be voting against this motion. The ministry is addressing this motion operationally. The ministry has committed to developing a code of practice regarding workplace harassment requirements as set out in It’s Never Okay: An Action Plan to Stop Sexual Violence and Harassment. This code will serve as the compliance tool for workplaces. In addition, the ministry will develop other workplace harassment materials, including a guideline and other educational materials for employers.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Any other comments, questions or debate?

Seeing none, are we in a position to vote on this?

Ms. Peggy Sattler: Recorded vote.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote requested.

Interjection.

The Vice-Chair (Mr. Jagmeet Singh): Yes? No?

Interjection.

The Vice-Chair (Mr. Jagmeet Singh): Okay, no recorded vote requested.

Shall the motion carry? All those in favour? All those opposed? The motion is lost.

We are now in a position to vote on schedule 4, section 3. Shall schedule 4, section 3 carry? Carried.

We're now moving to schedule 4, section 4. NDP motion 53. Ms. Sattler.

Ms. Peggy Sattler: I move that subsection 55.3(1) of the Occupational Health and Safety Act, as set out in section 4 of schedule 4 to the bill, be struck out and the following substituted:

“Order for workplace harassment investigation

“55.3(1) An inspector may in writing order an employer to cause an investigation described in clause 32.0.7(1)(a) to be conducted by a person described in subsection (1.1), at the expense of the employer, and to obtain, at the expense of the employer, a written report by that person.

“Same

“(1.1) The employer shall select the person referred to in subsection (1) from a list of impartial persons provided by the minister, which shall include persons who possess,

“(a) such knowledge, experience or qualifications as are specified by the inspector; and

“(b) such professional designations as are prescribed.”

The Vice-Chair (Mr. Jagmeet Singh): Comments, questions or an explanation regarding that?.

Ms. Peggy Sattler: Yes. We had some input from the Human Resources Professionals Association that people with a professional HR designation be enlisted to conduct these workplace harassment investigations, and they pointed to precedent in other legislation where there is a list of people that can be drawn from to conduct these kinds of activities for the minister.

There is a concern that the legislation as currently written may leave it open as to who is an impartial person, and this sort of pre-qualifies who those impartial persons may be when an inspector orders an investigation to take place.

The Vice-Chair (Mr. Jagmeet Singh): Additional comments?

Ms. Harinder Malhi: The government will not be supporting this motion because the proposed amendments in Bill 132 enhance employer duties with respect to workplace harassment and include that employers ensure that an appropriate investigation is carried out. The Ministry of Labour's explanatory and educational materials will discuss appropriate investigations including timelines and those who should investigate incidents and complaints.

1650

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Malhi. Moving to additional comments, questions, or concerns. Ms. Vernile.

Ms. Daiene Vernile: I think it would be very difficult, if not impossible for the Minister of Labour to decide on the impartiality of a person with respect to investigating an incident that hasn't even taken place yet. Impartiality is going to depend upon the circumstances of each and every case.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Vernile. Ms. Sattler?

Ms. Peggy Sattler: The motion indicates that this is only after an inspector orders an employer to cause an

investigation, so the inspector has some knowledge about the circumstances that have taken place and understands the kind of knowledge, experience and qualifications that would be necessary to conduct an effective investigation. The motion that I've drafted indicates that the inspector can specify the knowledge, experience and qualifications that would be required for that impartial person.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Additional comments, questions, or debate? Seeing none, are we in a position now to vote?

Ms. Peggy Sattler: Recorded vote.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote noted. The question put is, shall the motion carry?

Ayes

Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

We are now in a position to vote on schedule 4, section 4. Shall schedule 4, section 4 carry? Carried.

Now we can also vote on schedule 4, section 5. There are no amendments. Shall schedule 4, section 5 carry? Carried.

Now the schedule, as amended: Shall schedule 4, as amended, carry? Carried.

Now moving to schedule 5, we have PC motion 54: Ms. Jones.

Ms. Sylvia Jones: I move that the definition of “sexual violence” in subsection 32.1(1) of the Private Career Colleges Act, 2005, as set out in section 1 of schedule 5 to the bill, be amended by adding “gender identity or gender expression” after “targeting a person's sexuality”.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Jones. Would you like to provide an explanation?

Ms. Sylvia Jones: Very briefly: This makes the amendments consistent with the previous amendment—I think it was 14—that we did support.

The Vice-Chair (Mr. Jagmeet Singh): Any additional comments or questions? Ms. Malhi.

Ms. Harinder Malhi: We agree with this motion and will be supporting it, and want to thank the opposition for bringing it forward. I'm waiting for the “hallelujah.” Come on, Sylvia. No?

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. I think the hallelujahs are consent-based only, so you cannot force those on others. Ms. Jones will only provide that if she sees fit to do so.

Any other questions or comments or debate? Seeing none, are we ready to vote? Shall the motion carry? All those in favour? All those opposed? The motion is carried.

Ms. Peggy Sattler: Chair, can we have just a short recess?

The Vice-Chair (Mr. Jagmeet Singh): Absolutely. Oh sorry, I have to put it to the floor. What are you looking for in terms of recess?

Ms. Peggy Sattler: Four minutes? Five?

The Vice-Chair (Mr. Jagmeet Singh): Sure, we'll do five minutes. Is everyone okay with a five-minute recess? Excellent. Five-minute recess.

The committee recessed from 1654 to 1702.

The Vice-Chair (Mr. Jagmeet Singh): The committee will now resume. Thank you so much for the indulgence for the recess. We are on motion 54, I believe—

Ms. Sylvia Jones: Motion 55.

The Vice-Chair (Mr. Jagmeet Singh): Motion 55; thank you so much, Ms. Jones.

Motion 55 is an NDP motion. Ms. Sattler?

Ms. Peggy Sattler: I move that the definition of “sexual violence” in subsection 32.1(1) of the Private Career Colleges Act, 2005, as set out in section 1 of schedule 5 to the bill, be struck out and the following substituted:

“‘sexual violence’ means any sexual act or act targeting a person’s sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person’s consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, sexual exploitation, sexual solicitation and verbal or non-verbal conduct of a sexual nature, and may include an act that occurs online or in the context of a domestic or intimate partner relationship.”

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. An explanation or any comments?

Ms. Peggy Sattler: Yes. This revised definition is based on feedback that we received during public input into Bill 132. There is a need to expand the kinds of acts that could be considered sexual assault.

This definition does that by adding in sexual solicitation and verbal or non-verbal conduct of sexual nature. The definition also clarifies that acts that occur online are included, and it also extends to domestic or intimate-partner relationships.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Additional comments? Ms. Malhi?

Ms. Harinder Malhi: The government will be voting against this motion, because the existing definition is already broad enough to include acts committed online or by an intimate partner. The proposed motion unnecessarily includes additional language that may inadvertently narrow the interpretation of the actual definition.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Any other debate? Are we ready to vote?

A recorded vote has been requested each time, so I assume that’s going to continue. We are now in a position to vote.

Shall the motion carry?

Ayes

Jones, Martow, Sattler.

Nays

Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to NDP motion number 56: Ms. Sattler?

Ms. Peggy Sattler: I move that subsection 32.1(2) of the Private Career Colleges Act, 2005, as set out in section 1 of schedule 5 to the bill, be struck out and the following substituted:

“Sexual violence policy

“(2) It is a condition of every registration that a private career college have a sexual violence policy that,

“(a) specifically addresses sexual violence involving students enrolled at a private career college, as well as faculty, staff, volunteers, visitors and other members of the campus community;

“(b) sets out the process for how the private career college will respond to and address incidents and complaints of sexual violence, and includes the elements specified in the regulations relating to the process;

“(c) sets out the process for formal reports of sexual violence to be made to the private career college, and provides options and resources for confidential disclosure without a formal report;

“(d) addresses any other topics and includes any other elements required by the regulations; and

“(e) otherwise complies with the requirements set out in the regulations.”

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Any comments or statements?

Ms. Peggy Sattler: Yes. Private career colleges are educational institutions, just like other publicly assisted colleges and universities. There are a variety of people who are on the campuses of private career colleges, not just the students who are enrolled there. There may be students from other institutions, there may be visitors to the campus, there are faculty and staff members there and there may be volunteers there. We heard during the public input to Bill 132 that sexual violence policies should extend more broadly to all members of the campus community.

This proposed amendment also clarifies the difference between formal reports of sexual violence that are made to the institution and confidential disclosures of sexual violence that may take place without the incident being formally reported. These confidential disclosures could be a student disclosing to another faculty member, a student disclosing to a student or a student disclosing to the registrar’s office. It was emphasized repeatedly during the public input that there is a need to address both kinds of experiences of sexual violence that can occur: when a student wants to formally report to the institution so that it can be followed up on with action,

versus when a student just wants to disclose to somebody that they've had this experience, and they also should be supported.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Ms. Malhi?

Ms. Harinder Malhi: The government will be voting against this motion because an extension of the sexual violence policy to private career colleges and college employees could place a superintendent in a conflict of interest and would increase the administrative burden on private career colleges as small businesses. The Private Career Colleges Act, 2005, and the authorities of the superintendent as they currently stand are focused on student protection.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Malhi. Ms. Jones?

Ms. Sylvia Jones: Thank you, Chair. In the interests of transparency, with your indulgence, I would like to read the 19 deputants who requested this expansion beyond students:

- the Advocates for a Student Culture of Consent;
- the Canadian Federation of Students;
- Colleges Ontario;
- the Council of Ontario Universities;
- the Centre for Research and Education on Violence Against Women and Children;
- Lakehead University;
- members of the Carleton community;
- METRAC;
- Ontario Coalition to End Violence Against Women and Sexual Assault Network;
- the Ontario Coalition of Rape Crisis Centres;
- the Society for Graduate Students at Western University;
- the Trent Centre Student Association and Canadian Federation of Students Ontario;
- Trent University;
- University of Guelph;
- the University Students' Council, Western University;
- WomenatthecentrE;
- Wilfrid Laurier University;
- Western University; and
- York University.

They all very specifically asked that we amend the phrase “specifically and solely addresses sexual violence involving students,” so that the entire campus community, including students, faculty and other employees, will be covered by the sexual violence policy.

1710

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Jones. Any other debate? Seeing none, are we in a position to vote? This will be a recorded vote.

Shall the motion carry?

Ayes

Jones, Martow, Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to motion 57: Ms. Sattler.

Ms. Peggy Sattler: I move that subsection 32.1(5) of the Private Career Colleges Act, 2005, as set out in section 1 of schedule 5 to the bill, be struck out and the following substituted:

“Input

“(5) Every private career college shall ensure that input from the following persons and entities is incorporated, in accordance with any regulations, in the development of its sexual violence policy and every time the policy is reviewed or amended:

“1. Student survivors and diverse members of the student community.

“2. Faculty and staff.

“3. Relevant organizations in the community in which the private career college is located, in particular sexual assault centres, rape crisis centres, domestic violence treatment centres, sexual assault treatment centres and similar entities.”

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Any comments?

Ms. Peggy Sattler: This amendment responds to the input that the committee received during the public presentations on Bill 132, in particular the need to involve organizations that are in the community around where the private career college is located. It is quite likely that students from the private career college could access the services of those community organizations before they might even access the campus services, so those community organizations might have valuable information and expertise to inform the policy that the private career college is required to develop.

This motion also honours the voices of survivors. There has to be an explicit effort to engage survivors of sexual violence in the development of the policy, because they are the ones who have had these experiences on campus and they also will have very valuable insights to share.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Ms. Jones.

Ms. Sylvia Jones: I support this motion, in particular the third section related to the sexual assault centres, rape crisis centres, domestic violence treatment centres and sexual assault treatment centres.

By their very nature, private career colleges tend to have a shorter education career component. There are courses and systems within the private career college where you may only be in school for eight weeks. I think it's critically important that we involve the community and, quite frankly, the experts in the field.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Malhi.

Ms. Harinder Malhi: The government will be voting against this motion because, as we've talked about in past

motions, it is a student focus, and nowhere in the legislation does it say that the institution or the organization cannot connect with other organizations or other stakeholders and do more consultations on those grounds from the other stakeholders. But we want to keep the legislation worded as such because of our commitment that we made to a student focus.

The Vice-Chair (Mr. Jagmeet Singh): Any other debate? No other debate. We are in a position to vote. This is a recorded vote again. Shall the motion carry?

Ayes

Jones, Martow, Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to NDP motion 58: Ms. Sattler.

Ms. Peggy Sattler: I move that subsection 32.1(6) of the Private Career Colleges Act, 2005, as set out in section 1 of schedule 5 to the bill, be amended by striking out “three years” and substituting “two years”.

The Vice-Chair (Mr. Jagmeet Singh): Any debate? Ms. Sattler.

Ms. Peggy Sattler: Again, this reflects what the committee heard during the public input: that a three-year review cycle is too long, in particular in the private career college sector when you’re looking at the very compressed length of the programs that the students are taking. To only review the policy every three years misses a lot of opportunity to improve the policy by reviewing on a two-year cycle rather than three years.

The Vice-Chair (Mr. Jagmeet Singh): Additional comments? Yes, Ms. Malhi.

Ms. Harinder Malhi: The government will be voting against this motion. The current requirement in the bill proposing a review to take place at least once every three years is intended to be an opportunity for meaningful student input and continuous improvement. As we’ve said in the past, we don’t want to add that extra burden. As well, there’s nothing in the legislation stating that organizations wouldn’t undertake reviews earlier; they are free to do that if they choose to do so.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Ms. Vernile?

Ms. Daiene Vernile: Adding to what my colleague just said, if we’re reviewing every two years, it’s going to mean that the policies are always in a state of review, in a review cycle. Allowing three years will give us an opportunity to implement the policies, see how they work and make adjustments accordingly.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Vernile. Any other comments? Seeing none, are we ready to vote? Yes. This is a recorded vote again.

Ayes

Jones, Martow, Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to motion 59: Ms. Sattler.

Ms. Peggy Sattler: I move that subsection 32.1(8) of the Private Career Colleges Act, 2005, as set out in section 1 of schedule 5 to the bill, be struck out and the following substituted:

“Information for superintendent

“(8) Every private career college shall,

“(a) use an anonymous survey administered biannually by the minister to collect from its students and other persons, and provide to the superintendent”—

The Vice-Chair (Mr. Jagmeet Singh): Sorry; my apologies. We are on 59, and I believe you’re reading motion 60.

Ms. Peggy Sattler: Oh, I’m reading 60. Sorry.

The Vice-Chair (Mr. Jagmeet Singh): That’s okay.

Ms. Peggy Sattler: Sorry about that.

The Vice-Chair (Mr. Jagmeet Singh): No problem.

Ms. Peggy Sattler: Motion 59: I move that clause 32.1(7)(b) of the Private Career Colleges Act, 2005, as set out in section 1 of schedule 5 to the bill, be amended by striking out “involving students enrolled”.

The Vice-Chair (Mr. Jagmeet Singh): Any comments or debate? Ms. Sattler.

Ms. Peggy Sattler: The purpose of this motion is to broaden the stand-alone sexual violence policy so that it encompasses the entire campus community and visitors to campus, rather than only students enrolled at the campus.

The Vice-Chair (Mr. Jagmeet Singh): Additional? Ms. Malhi.

Ms. Harinder Malhi: The government will be voting against this motion. As we’ve talked about at length now, students are a particularly vulnerable group, and the bill reflects the public action plan’s focus on students. The government recommends maintaining the student focus of the legislation and any subsequent regulations.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Additional comments or debate? Seeing none, are we ready to vote? A recorded vote.

Ayes

Jones, Martow, Sattler.

Nays

Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

NDP motion 60: Ms. Sattler.

Ms. Peggy Sattler: I move that subsection 32.1(8) of the Private Career Colleges Act, 2005, as set out in section 1 of schedule 5 to the bill, be struck out and the following substituted:

“Information for superintendent

“(8) Every private career college shall,

“(a) use an anonymous survey administered biannually by the minister to collect from its students and other persons, and provide to the superintendent, such information and data as may be requested by the superintendent, in the manner and form directed by the superintendent, relating to,

“(i) perceptions of safety on campus and attitudes regarding sexual violence,

“(ii) experiences related to incidents of sexual violence at the private career college that are not disclosed or reported,

“(iii) experiences requesting and obtaining supports, services and accommodation relating to disclosure of sexual violence that are available at the private career college or in the community,

“(iv) awareness of any initiatives and programs established by the private career college to promote the supports and services available,

“(v) experiences reporting incidents and complaints of sexual violence to the private career college or other bodies, and

“(vi) the implementation and effectiveness of the policy; and

“(b) collect and provide to the superintendent biannually such data and other information as may be requested by the superintendent, in the manner and form directed by the superintendent, relating to the number of incidents and complaints of sexual violence formally reported to the private career college.”

1720

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any debate? Ms. Sattler.

Ms. Peggy Sattler: Yes. This motion reflects the input that the committee received about the need to conduct a climate survey to gather information on perceptions of safety and attitudes around sexual violence, and also to find out from the students how they feel about their interactions with the college when they have disclosed an experience of sexual violence or when they have formally reported an incident of sexual violence. It also measures awareness of the services that are available on campus.

The second part of the amendment, clause (b), limits the data that will be collected and reported to the superintendent to only formal reports. Currently the legislation talks about the number of students who have accessed different programs and services. This amendment limits it just to formal reports.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Sattler. Any additional debate? Ms. Malhi.

Ms. Harinder Malhi: The government will not be supporting this motion because it's too prescriptive and does not allow for adequate flexibility. The government is proposing a similar motion for an amendment that would provide the superintendent with the authority to conduct a campus climate survey to measure the incidence and the prevalence of sexual violence among private career college students.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Additional debate? Seeing none, are we ready to vote?

Ms. Peggy Sattler: Recorded vote.

The Vice-Chair (Mr. Jagmeet Singh): A recorded vote has been requested. Shall the motion carry?

Ayes

Jones, Martow, Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

We move to government motion number 61. Ms. Malhi.

Ms. Harinder Malhi: I move that section 32.1 of the Private Career Colleges Act, 2005, as set out in section 1 of schedule 5 to the bill, be amended by adding the following subsections:

“Survey

“(10) The superintendent may conduct, or may direct a private career college to conduct or participate in, a survey of students and other persons as identified by the superintendent, relating to the effectiveness of the private career college's sexual violence policy, to the incidence of sexual violence at the private career college and to any other matter mentioned in paragraphs 1 to 4 of subsection (8).

“Same

“(11) A private career college that is directed by the superintendent to conduct a survey described in subsection (10) shall disclose the results of the survey to the superintendent.”

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Malhi. Any debate? Ms. Malhi?

Ms. Harinder Malhi: No, I'm okay.

The Vice-Chair (Mr. Jagmeet Singh): No? Okay. Any additional—Ms. Jones?

Ms. Sylvia Jones: Thank you. It was suggested, when the government voted down the previous NDP motion, that their motion would be sufficient, but I speak to that wonderful word “may” again. There is no obligation that we would see these surveys of students, and I am greatly concerned that once our debate and vote on Bill 132 are

finished, these sections will remain unused. You can't improve a system if you're not measuring it.

The Vice-Chair (Mr. Jagmeet Singh): Thank you very much, Ms. Jones. Now we move to Ms. Sattler.

Ms. Peggy Sattler: Thank you. I share Ms. Jones's concern about the use of the word "may" rather than "shall." I'm also concerned that even if this survey is conducted, it could just be a single snapshot in time. There's no requirement in this motion that this survey be conducted more than once, so that you can see what measurable changes have occurred as a result of the implementation of the policy. If you're going to do this survey, you want to make the results as meaningful and useful as possible. You want to use it to establish a baseline so that you can later see what the impact of the sexual violence policy has been.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any other debate? Seeing none, are we in a position to vote?

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Excellent. Shall the motion carry? All those in favour? All those opposed? The motion is carried.

Now moving to schedule 5, section 1, as amended. Shall schedule 5, section 1, as amended, carry? Carried.

Now moving to schedule 5, section 2. There are no amendments. Shall schedule 5, section 2, carry? Carried.

Moving now to schedule 5, section 3: The next motion is NDP motion 62. Ms. Sattler.

Ms. Peggy Sattler: I move that paragraph 14.1 of subsection 55(1) of the Private Career Colleges Act, 2005, as set out in section 3 of schedule 5 to the bill, be amended by striking out "involving students enrolled" in the portion before subparagraph 14.1 i.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any debate?

Ms. Peggy Sattler: Yes. The purpose of this amendment is simply to broaden the application of the act to the entire campus community rather than limiting it to only students who are currently enrolled.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler? Any additional? Ms. Malhi.

Ms. Harinder Malhi: The government will be voting against this motion. As we've discussed in the past, the current language in the bill does reflect the public action plan's focus on students, and we want to keep that focus within this legislation.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Any other debate? Are we ready to vote?

Ms. Daiene Vernile: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Excellent. A recorded vote, I believe.

Ayes

Jones, Martow, Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to motion 63, an NDP motion: Ms. Sattler.

Ms. Peggy Sattler: I move that subparagraph 14.1 i of subsection 55(1) of the Private Career Colleges Act, 2005, as set out in section 3 of schedule 5 to the bill, be amended by striking out "how student input shall be provided and considered" and substituting "how input shall be provided and incorporated".

The Vice-Chair (Mr. Jagmeet Singh): Thank you. Any comments or debate?

Ms. Peggy Sattler: Yes. This strengthens the language around including student input in the policy. Instead of just considering and potentially dismissing input from students, this language requires that input be incorporated into the policy. It also contemplates that input could be solicited from a broader range of campus representatives rather than simply students. So it removes the word "student" from in front of "input."

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any debate? Ms. Malhi.

Ms. Harinder Malhi: The government will not be supporting this motion. As we've said, we feel that the language used in the legislation does reflect that there's a student focus, and we're committed to a student focus, as we've discussed over the course of the afternoon. We feel that the way the legislation is worded will suffice.

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Malhi. Additional debate? Seeing none, are we ready to vote?

Interjections: Yes.

Ms. Peggy Sattler: Recorded.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote noted.

Ayes

Jones, Martow, Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Moving to motion 64, an NDP motion: Ms. Sattler.

Ms. Peggy Sattler: I move that subparagraph 14.1 v of subsection 55(1) of the Private Career Colleges Act, 2005, as set out in section 3 of schedule 5 to the bill, be amended by striking out "students" and substituting "persons".

1730

The Vice-Chair (Mr. Jagmeet Singh): Thank you, Ms. Sattler. Any further debate?

Ms. Peggy Sattler: Yes. This amendment recognizes that sexual violence on campus can occur between students and former students, students and other students from other campuses who may be visiting the campus and there may also be effects of sexual violence that involve faculty or staff. This amendment broadens the application of the schedule to the entire campus community, not just students.

The Vice-Chair (Mr. Jagmeet Singh): Additional debate? Ms. Malhi.

Ms. Harinder Malhi: The government will be voting against this motion, as I just said earlier. We feel that the legislation itself has a student focus and the language used in the bill is focused on students, and we're committed to student input.

The Vice-Chair (Mr. Jagmeet Singh): Additional debate? Seeing none, are we ready to vote?

Ms. Peggy Sattler: Recorded.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote. Shall the motion carry?

Ayes

Jones, Martow, Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

NDP motion 65. Ms. Sattler.

Ms. Peggy Sattler: I move that subparagraph 14.1 vi of subsection 55(1) of the Private Career Colleges Act, 2005, as set out in section 3 of schedule 5 to the bill, be amended by adding "faculty, staff and other persons" after "students" wherever that word appears.

The Vice-Chair (Mr. Jagmeet Singh): Further debate? Ms. Sattler.

Ms. Peggy Sattler: This is another attempt to broaden the scope of the bill to encompass the entire campus community in the sexual violence policy and not just students.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Malhi.

Ms. Harinder Malhi: The government will not be supporting this motion because, as we've said, this specific part of the legislation is student-focused. That's the commitment that we made in It's Never Okay, and we want to continue to work towards that commitment.

The Vice-Chair (Mr. Jagmeet Singh): Additional debate? Ms. Jones.

Ms. Sylvia Jones: Chair, I believe this is the last time we are going to attempt to expand to faculty, staff and other persons, and I would like to make a prediction that there is going to be a human rights filing related to us not moving forward and protecting everyone who is on post-secondary campuses.

The Vice-Chair (Mr. Jagmeet Singh): Any other debate? Seeing none, are we ready to vote?

Ms. Peggy Sattler: Recorded vote.

The Vice-Chair (Mr. Jagmeet Singh): Recorded vote. Shall the motion carry?

Ayes

Jones, Martow, Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

We are in a position to vote on schedule 5, section 3. The question is: Shall schedule 5, section 3 carry? Carried.

We now move to schedule 5, section 4. We have a government motion 66. Ms. Malhi.

Ms. Harinder Malhi: I move that section 4 of schedule 5 to the bill be struck out and the following substituted:

"4. This schedule comes into force on January 1, 2017."

The Vice-Chair (Mr. Jagmeet Singh): Any debate? Seeing none, are we ready to vote? Shall the motion carry? All those in favour? All those opposed? The motion carries.

Shall schedule 5, section 4, as amended, carry? Carried.

Shall schedule 5, as amended, carry? Carried.

We are now moving to schedule 6, section 1. We have a PC motion, motion 67. Ms. Martow.

Mrs. Gila Martow: I move that the definition of "sexual violence" in subsection 47.3(2) of the Residential Tenancies Act, 2006, as set out in section 1 of schedule 6 to the bill, be amended by adding "gender identity or gender expression" after "targeting a person's sexuality".

The Vice-Chair (Mr. Jagmeet Singh): Any debate? Ms. Martow?

Mrs. Gila Martow: I think it's very similar to a previous amendment, which is to expand to include differing gender identities and gender expressions.

The Vice-Chair (Mr. Jagmeet Singh): Any other debate? Ms. Malhi.

Ms. Harinder Malhi: The government will be supporting this motion. I just want to thank the opposition for bringing it forward.

The Vice-Chair (Mr. Jagmeet Singh): Additional debate? Seeing none, we are ready to vote.

Shall the motion carry? All those in favour? All those opposed? The motion carries.

The last motion, everybody—uh-oh, we should slow it down right now because we just enjoyed spending so much time together. It's all going to be over now.

Interjection.

The Vice-Chair (Mr. Jagmeet Singh): That comment will be struck from the record, please.

Laughter.

The Vice-Chair (Mr. Jagmeet Singh): NDP motion number 68: Ms. Sattler.

Ms. Peggy Sattler: I move that the definition of “sexual violence” in subsection 47.3(2) of the Residential Tenancies Act, 2006, as set out in section 1 of schedule 6 to the bill, be struck out and the following substituted:

“‘sexual violence’ means any sexual act or act targeting a person’s sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person without the person’s consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism, sexual exploitation, sexual solicitation and verbal or non-verbal conduct of a sexual nature, and may include an act that occurs online or in the context of a domestic or intimate partner relationship.”

The Vice-Chair (Mr. Jagmeet Singh): Any explanation or further debate?

Ms. Peggy Sattler: Yes. This is the same definition that I have tried to introduce in earlier schedules of the act. It reflects the input that we heard during the public presentations on Bill 132. There were recommendations to expand the kinds of sexual violence that a person could experience, which is why I’ve added sexual solicitation and verbal or non-verbal conduct of a sexual nature.

It was also recommended that the definition be clear that online violence is also encompassed by the definition and, finally, that the definition acknowledge the fact that sexual violence often occurs in domestic or intimate partner relationships, and that should be reflected in this language.

The Vice-Chair (Mr. Jagmeet Singh): Ms. Malhi?

Ms. Harinder Malhi: The government will be voting against this motion. The additional language cites verbal or non-verbal conduct of a sexual nature as an example of a non-consensual sexual act. It would be inaccurate to state that, by definition, sexual conduct is non-consensual.

The Vice-Chair (Mr. Jagmeet Singh): Additional comments or debate? Seeing none, are we ready to vote?

Mrs. Amrit Mangat: Yes.

The Vice-Chair (Mr. Jagmeet Singh): Shall the motion carry? This is a recorded vote again, I’m assuming?

Ayes

Jones, Martow, Sattler.

Nays

Anderson, Dhillon, Malhi, Mangat, Vernile.

The Vice-Chair (Mr. Jagmeet Singh): The motion is lost.

Shall schedule 6, section 1, as amended, carry? Carried.

There are no amendments to schedule 6, section 2.

Shall schedule 6, section 2, carry? Carried.

Shall schedule 6, section 3, carry? Carried.

Shall schedule 6, section 4, carry? Carried.

Shall schedule 6, section 5, carry? Carried.

Shall schedule 6, as amended, carry? Carried.

We had deferred, at the beginning, talking about the sections. So we’re going to refer to sections 1, 2 and 3.

The first question is, shall section 1 carry? Carried.

Shall section 2 carry? Carried.

Shall section 3 carry? Carried.

Now we have to address the preamble, the title and the entire bill.

Shall the preamble of the bill carry? Carried.

Shall the title of the bill carry? Ms. Jones?

Ms. Sylvia Jones: Respectfully, I would like to suggest that the title should say “with respect to student sexual violence, sexual harassment, domestic violence and related matters”.

The Vice-Chair (Mr. Jagmeet Singh): Would you like to bring a motion that effect?

Ms. Sylvia Jones: Yes, I would.

The Vice-Chair (Mr. Jagmeet Singh): Really? I don’t know how do that. I’ll have to ask some questions.

Yes, it can be done, so we’ll have to draft it.

Ms. Sylvia Jones: Don’t you have to ask for unanimous consent for that because it wasn’t done in time?

The Vice-Chair (Mr. Jagmeet Singh): In this case what we can do is, because it’s not a time-allocated bill, you can actually take the time now to put that forward in writing if you like and then it could be brought forward as a motion, and then we would vote it. I think that’s the only way. You can do anything on a unanimous consent, but that’s the way, if you want.

If you would like to do that, you’d have to just bring the motion and write it up. We would have to make sure everybody can see it, and then we can do that.

We’ll take a brief recess to accommodate this motion.

The committee recessed from 1740 to 1748.

The Vice-Chair (Mr. Jagmeet Singh): The committee is back in session. There is a new motion before you. I’ll ask the mover to move the motion and then make some brief comments, because I’ll be making a ruling with respect to the motion.

Ms. Sylvia Jones: Thank you for your indulgence, Chair.

I move that the title of the bill be amended by striking out “with respect to sexual violence” and substituting “with respect to student sexual violence”.

Very briefly, Chair: There were over 60 amendments brought forward, and it became very clear that the government wanted to narrowcast down Bill 132 to protect students—absolutely, a laudable goal—but I think we are missing an opportunity, quite frankly. Let’s call a spade a spade: Bill 132 is about protecting students from sexual violence; it’s not about anyone else on a post-secondary campus.

The Vice-Chair (Mr. Jagmeet Singh): Okay, Ms. Jones. Anyone else would like to add any comments? Ms. Malhi.

Ms. Harinder Malhi: We're obviously not going to be supporting the motion. We feel that four out of six sections of the bill don't deal with students. That's pretty much—

The Vice-Chair (Mr. Jagmeet Singh): Okay. No further discussion on that?

My ruling on this is that there are a number of sections that deal with matters that are outside of students, so to call the bill "student sexual violence" would not match with the other schedules of the bill which address workplace safety and other areas that are not limited to students.

Although I understand Ms. Jones's point, I'll be ruling the motion out of order.

Shall the title of the bill carry? Carried.

Shall Bill 132, as amended, carry? Carried.

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

Okay. Thank you, everybody. It's been a hoot.

Interjections.

The Vice-Chair (Mr. Jagmeet Singh): This is a serious topic, and I shouldn't be joking, but it was great spending time with you all. Thank you all.

The committee adjourned at 1750.

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