

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

**Official Report
of Debates
(Hansard)**

G-16

**Journal
des débats
(Hansard)**

G-16

**Standing Committee on
General Government**

Protecting a Sustainable
Public Sector for Future
Generations Act, 2019

1st Session
42nd Parliament

Wednesday 6 November 2019

**Comité permanent des
affaires gouvernementales**

Loi de 2019 visant à préserver
la viabilité du secteur public
pour les générations futures

1^{re} session
42^e législature

Mercredi 6 novembre 2019

Chair: Goldie Ghamari
Clerk: Jocelyn McCauley

Présidente : Goldie Ghamari
Greffière : Jocelyn McCauley

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. The address is:

<https://www.ola.org/>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7400.

Le Journal des débats sur Internet

L'adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance est :

Renseignements sur l'index

Adressez vos questions portant sur des numéros précédents du Journal des débats au personnel de l'index, qui vous fourniront des références aux pages dans l'index cumulatif, en composant le 416-325-7400.

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



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

ISSN 1180-5218

CONTENTS

Wednesday 6 November 2019

Protecting a Sustainable Public Sector for Future Generations Act, 2019, Bill 124, Mr. Bethlenfalvy / Loi de 2019 visant à préserver la viabilité du secteur public pour les générations futures, projet de loi 124, M. Bethlenfalvy	G-411
--	-------

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
GENERAL GOVERNMENT**

**COMITÉ PERMANENT DES
AFFAIRES GOUVERNEMENTALES**

Wednesday 6 November 2019

Mercredi 6 novembre 2019

The committee met at 0900 in committee room 2.

**PROTECTING A SUSTAINABLE
PUBLIC SECTOR FOR FUTURE
GENERATIONS ACT, 2019**

**LOI DE 2019 VISANT À PRÉSERVER
LA VIABILITÉ DU SECTEUR PUBLIC
POUR LES GÉNÉRATIONS FUTURES**

Consideration of the following bill:

Bill 124, An Act to implement moderation measures in respect of compensation in Ontario's public sector / Projet de loi 124, Loi visant à mettre en oeuvre des mesures de modération concernant la rémunération dans le secteur public de l'Ontario.

The Chair (Ms. Goldie Ghamari): Good morning, everyone. Members, welcome. The Standing Committee on General Government will now come to order.

Pursuant to the order of the House dated October 31, 2019, we will now begin clause-by-clause consideration of Bill 124, An Act to implement moderation measures in respect of compensation in Ontario's public sector. Julia Hood from legislative counsel is here to assist us with our work today. Copies of the numbered amendments received on Tuesday, November 5, 2019, are on your desks. The amendments have been numbered in the order in which they appear in the bill. Are there any questions or comments before we begin? Seeing none, I'll move on.

Bill 124 contains a preamble. In order to deal with the bill in an orderly fashion, I suggest that we postpone the preamble in order to deal with bill's sections first. Do we have unanimous agreement? Thank you.

We will now move to section 1 of the bill. There are no amendments to sections 1 through 4 of the bill. I propose that we bundle these sections. Is there agreement? Agreed. Shall sections 1 through 4, inclusive, carry? Carried.

We're on section 5 of the bill now, and it's government motion number 1, subsection 5(2) of the bill. MPP Parsa.

Mr. Michael Parsa: I move that subsection 5(2) of the bill be amended by adding the following paragraph:

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

The Chair (Ms. Goldie Ghamari): Is there any debate? Seeing none, are the members prepared to vote? All those in favour? All those opposed? Carried.

We're now moving on to government motion number 2, subsection 5(2) of the bill. MPP Parsa.

Mr. Michael Parsa: I move that subsection 5(2) of the bill be amended by adding the following paragraphs:

"3.1 An Indigenous community.

"3.2 Every authority, board, commission, corporation, office or organization of persons, including a council of the band within the meaning of the Indian Act (Canada), a majority of whose members, directors or officers are appointed or chosen by or under the authority of one or more Indigenous communities.

"3.3 A police governing authority referred to in section 54 of the Police Services Act."

The Chair (Ms. Goldie Ghamari): Is there any debate? MPP Shaw.

Ms. Sandy Shaw: I would like a recorded vote on this amendment.

The Chair (Ms. Goldie Ghamari): That's fine.

Mr. Mike Schreiner: I would like to make a comment on this.

The Chair (Ms. Goldie Ghamari): Yes, MPP Schreiner?

Mr. Mike Schreiner: Thank you. I think some of these amendments to increase exemptions certainly are a tiny step in the right direction, because we want to exempt as many people as possible from this legislation, but it doesn't take away from the fact that this legislation is just wrong, whether you exempt certain entities, such as the city of Toronto or Indigenous communities, or not.

To take people's bargaining rights away from them before we even move into collective bargaining—I think these issues are important issues, but they need to be addressed at the bargaining table. We've heard that over and over again. While I support any efforts to maximize the number of exemptions, it doesn't take away from the fact that the bill itself is flawed.

The Chair (Ms. Goldie Ghamari): Further debate? Seeing none, are the members prepared to vote? All those in favour, please raise your hands.

Mrs. Jennifer (Jennie) Stevens: Recorded vote.

The Chair (Ms. Goldie Ghamari): I have already confirmed that it will be a recorded vote.

Ayes

Cuzzetto, Glover, Harris, Kramp, Sabawy, Sandhu, Schreiner, Shaw, Stevens.

The Chair (Ms. Goldie Ghamari): Carried.

We're now turning to government motion number 3, referencing section 5 of the bill. MPP Parsa?

Mr. Michael Parsa: I move that section 5 of the bill be amended by adding the following subsection:

“Definition

“(3) In this section,

“‘Indigenous community’ means a band within the meaning of the Indian Act (Canada) and such other entities as may be prescribed by a minister’s regulation.”

The Chair (Ms. Goldie Ghamari): Is there any debate? Seeing none, are the members prepared to vote?

Mrs. Jennifer (Jennie) Stevens: Recorded vote, please.

Ayes

Cuzzetto, Glover, Harris, Kramp, Parsa, Sabawy, Sandhu, Schreiner, Shaw, Stevens.

The Chair (Ms. Goldie Ghamari): The motion is carried.

Members, shall section 5, as amended, be carried? Carried.

Moving now to section 6: There are no amendments to section 6. Shall section 6 carry? Carried.

Section 7: We have government motion number 4, section 7. MPP Parsa?

Mr. Michael Parsa: I move that section 7 of the bill be amended by striking out “masters or” and substituting “or”.

The Chair (Ms. Goldie Ghamari): Any debate? Seeing none, are members prepared to vote? All those in favour? All those opposed? Carried.

Shall section 7, as amended, carry? Carried.

Turning now to section 8: There are no amendments. Shall section 8 carry? Carried.

Turning now to section 9, government motion number 5: MPP Parsa.

Mr. Michael Parsa: I move that section 9 of the bill be amended by adding the following subsections:

“Same, certain written agreements on or before June 5, 2019

“(2) Despite subsection (1), if, on or before June 5, 2019, the parties have, in good faith, entered into an agreement in writing specified in subsection (3), the moderation period in respect of the class of employees covered by that agreement begins on the day immediately following the day the collective agreement that gives effect to that agreement expires and ends on the day that is three years later.

“Same

“(3) The following agreements are specified for the purposes of subsection (2):

“1. A memorandum of settlement for a collective agreement ratified after June 5, 2019.

“2. A collective agreement ratified on or before June 5, 2019 that comes into operation after that date.

“3. An agreement to renew a collective agreement that is in operation on June 5, 2019 for a single specified term.
0910

“Same, arbitration award after June 5, 2019

“(4) Despite subsection (1), if, after June 5, 2019 and before the day this section comes into force, an arbitration award was issued, the moderation period in respect of the class of employees subject to the award begins on the day immediately following the day the collective agreement that gives effect to that award expires and ends on the day that is three years later.

“Same, certain written agreements after June 5, 2019

“(5) Despite subsection (1), if, after June 5, 2019 and before the day this section comes into force, the parties have, in good faith, entered into an agreement in writing specified in subsection (6), the minister may make regulations specifying that the moderation period in respect of the class of employees covered by that agreement begins on the day immediately following the day the collective agreement that gives effect to that agreement expires and ends on the day that is three years later.

“Same

“(6) The following agreements are specified for the purposes of subsection (5):

“1. A memorandum of settlement for a collective agreement that expires no later than December 31, 2021.

“2. A collective agreement that expires no later than December 31, 2021.

“3. An agreement to renew a collective agreement that is in operation on June 5, 2019 for a single specified term that expires no later than December 31, 2021.”

The Chair (Ms. Goldie Ghamari): MPP Shaw.

Ms. Sandy Shaw: This is probably the time to ask questions about the amendment, so I would ask my colleagues on the other side: Is it the intention or the purpose of this amendment—because that’s not entirely necessarily clear—that this gives the same delay to the wage cap that is given for current collective agreements?

The Chair (Ms. Goldie Ghamari): MPP Parsa, would you like to respond?

Mr. Michael Parsa: Yes, that’s correct.

Ms. Sandy Shaw: It does?

Mr. Michael Parsa: It does.

Ms. Sandy Shaw: And so is that when it’s just a first collective agreement, or is that for currently as well? Is it for first collective agreements?

Mr. Michael Parsa: You’re asking if it’s only the first agreement? Is that what you’re asking?

Ms. Sandy Shaw: Is it both? Current, or when people are negotiating their first collective agreement?

Mr. Michael Parsa: Yes, it’s both.

Ms. Sandy Shaw: Okay. Further to that, would that be through a memorandum, or would that be through an arbitration settlement?

Mr. Michael Parsa: Yes, that’s correct. It’s both.

Ms. Sandy Shaw: So both arbitration and memorandum settlement?

Mr. Michael Parsa: Yes.

Ms. Sandy Shaw: I would just like to add that this is a perfect example of this bill—I mean, these are important details that should have been in the bill in the first place. I recognize, as member Schreiner has said, that this bill is egregious in all aspects, because it does violate people’s constitutional rights in this country. But it also shows that this is a legislation that has been rushed. Most of these important pieces have been overlooked, and now we are sitting in committee doing them as an amendment when, if this bill wasn’t being rammed through the House like all the other legislation, we would have had this in the bill in the first place. So I would just like to put that on record, that these are important clarifications that—I can’t understand why a government wouldn’t have had them in their bill in the first place, when they actually had five months to get this right.

But having said that, I appreciate the answer.

The Chair (Ms. Goldie Ghamari): Further debate?

Mr. Michael Parsa: Madam Chair, this is why this bill, as I said multiple times, was an inclusive process. It was open to consultations. We wanted to hear from stakeholders; we wanted to hear from those who are involved. We wanted this to be a process that everybody was involved in, which is why amendments were included. I’m very proud of the fact that this was such an inclusive process that everybody took part in.

The Chair (Ms. Goldie Ghamari): Further debate? Seeing none, are the members prepared to vote? All those in favour? All those opposed? Carried.

Shall section 9, as amended, carry? Carried.

There are no amendments to sections 10 through 12 of the bill. I propose that we bundle these sections. Is there agreement? Agreed.

Shall sections 10 through 12, inclusive, carry? Carried.

Section 12.1 is a new section. Government motion number 6, section 12.1: MPP Parsa.

Mr. Michael Parsa: I move that section 12.1 be added to the bill:

“Exception, certain voluntary exit programs

“12.1 For the purposes of sections 10, 11 and 12, payments that are made in accordance with a voluntary exit program that has been approved by the Management Board of Cabinet are not an increase in a salary rate, an increase to existing compensation entitlements or new compensation entitlements.”

The Chair (Ms. Goldie Ghamari): Thank you. Is there—

Interjection.

The Chair (Ms. Goldie Ghamari): Further debate? MPP Shaw.

Ms. Sandy Shaw: Does this amendment include government appointees as well as political staff? Is that what that’s intended to cover?

Mr. Michael Parsa: It’s a voluntary exit.

Ms. Sandy Shaw: But does this clause, this amendment, include government appointees, people who are appointed by the government? I mean, we’re talking about the broader public service. It’s a legitimate question.

Mr. Michael Parsa: This is only for public servants who have the ability to exit through this program.

Ms. Sandy Shaw: So is a public servant who was a government appointee—would they be covered under this amendment?

Mr. Michael Parsa: If they’re a public servant—

Ms. Sandy Shaw: —appointed by the government—

Mr. Michael Parsa: If they’re a public servant.

Ms. Sandy Shaw: An appointee, not a public servant.

Mr. Michael Parsa: Public servants are included; appointees are not.

Ms. Sandy Shaw: Okay. So this doesn’t include government appointees.

The Chair (Ms. Goldie Ghamari): Further debate? Seeing none, are the members prepared to vote? All those in favour? All those opposed? Carried.

Shall section 12.1 carry? Carried.

Section 12.2 is a new section. Government motion number 7, section 12.2: MPP Parsa.

Mr. Michael Parsa: I move that section 12.2 be added to the bill:

“Exception, certain pension contribution offsets

“12.2 If an employer is converting a single employer pension plan into a jointly sponsored pension plan in accordance with section 80.4 or 81.0.1 of the Pension Benefits Act, an increase in a salary rate, an incremental increase to existing compensation entitlements or new compensation entitlements provided in exchange for an increase in member-required contributions that occurs in coincidence with and as a result of the conversion are not an increase in a salary rate, an incremental increase to existing compensation entitlements or new compensation entitlements for the purposes of sections 10, 11 and 12.”

The Chair (Ms. Goldie Ghamari): MPP Parsa, could you please repeat, just for clarity’s sake, the fourth paragraph—the line that starts with “entitlements”?

Mr. Michael Parsa: “Entitlements or new compensation entitlements provided in exchange for an increase in member-required contributions that occurs coincident with and as a result of the conversion”—

The Chair (Ms. Goldie Ghamari): Thank you.

Any debate? MPP Shaw.

Ms. Sandy Shaw: Question: Is the purpose or the intention of this amendment to address the idea of pooling benefits? That’s something that we had heard you ask the deputants yesterday, or whenever it was. Was it yesterday?

Interjection.

Ms. Sandy Shaw: Monday. Is this to ease the transition to pooling the benefits, moving from defined benefit to defined contribution?

Mr. Michael Parsa: Yes. The pooling of the benefits is a result of the consultation that we had directly with our stakeholders. That’s why the amendments were brought forward.

Ms. Sandy Shaw: So the intention is to ease from defined benefit to defined contribution. Is that what the intention is?

Mr. Michael Parsa: No. No, it’s not. Sorry.

Ms. Sandy Shaw: Oh. I thought I heard you say yes.

Mr. Michael Parsa: No, I said to you that it came as a result of the consultation.

Ms. Sandy Shaw: Okay. Thank you.

The Chair (Ms. Goldie Ghamari): Further debate? Seeing none, are the members prepared to vote? All those in favour? All those opposed? Carried.

Shall section 12.2 carry? Carried.

Section 12.3: It's a new section. Government motion number 8, section 12.3: MPP Parsa.

0920

Mr. Michael Parsa: I move that section 12.3 be added to the bill:

“Exception, prescribed payments

“12.3 The minister may, by regulation, specify that certain compensation provided by employers for the purpose of reducing the growth in compensation costs over the long term are not an increase in a salary rate, an increase to existing compensation entitlements or new compensation entitlements for the purposes of sections 10, 11 and 12.”

The Chair (Ms. Goldie Ghamari): Any debate? MPP Shaw.

Ms. Sandy Shaw: Certainly. I have a question. If I'm to understand this, this gives the minister unilateral discretionary power to not follow the rest of the legislation. Is that correct? This gives the minister—and by the minister, we're talking about the President of the Treasury Board; is that correct?

Mr. Michael Parsa: This amendment will provide the minister with the flexibility to allow additional exemptions in cases where public sector employers or employees find ways to meet the underlying policy goals of this proposed legislation, Madam Chair.

Ms. Sandy Shaw: So that I understand this, if the employee finds ways to save the employer, which is the government, money, then they're benefited with an exemption to this legislation that covers about a million other workers in the province? Is that correct?

Mr. Michael Parsa: Again, it provides the flexibility to allow additional exemptions.

Ms. Sandy Shaw: Is the minister seeking additional power to give an exemption to all of the other million employees that are working in CUPE or under the OFL? Is there any other clause in this that gives the minister the ability to exempt other employees from this?

Interjection.

Ms. Sandy Shaw: No, just this class. Okay. Thank you.

The Chair (Ms. Goldie Ghamari): Further debate? Seeing none, are the members prepared to vote? All those in favour? All those opposed? Carried.

Shall section 12.3 carry? Carried.

There are no amendments to sections 13 through 16 of the bill. I propose that we bundle these sections. Is there agreement?

Shall sections 13 through 16, inclusive, carry? Carried.

Section 16.1 is a new section. Turning now to government motion number 9, section 16.1: MPP Sandhu.

Mr. Amarjot Sandhu: I move that section 16.1 be added to the bill:

“Exception, certain voluntary exit programs

“16.1 For the purposes of sections 15 and 16, payments that are made in accordance with a voluntary exit program that has been approved by the Management Board of Cabinet are not an increase in a salary rate, an increase to existing compensation entitlements or new compensation entitlements.”

The Chair (Ms. Goldie Ghamari): Is there any debate? Seeing none, are the members prepared to vote? All those in favour? All those opposed? Carried.

Shall section 16.1 carry? Carried.

Section 16.2 is also a new section. Turning now to government motion number 10, section 16.2: MPP Sandhu.

Mr. Amarjot Sandhu: I move that section 16.2 be added to the bill:

“Exception, certain pension contribution offsets

“16.2 If an employer is converting a single employer pension plan into a jointly sponsored pension plan in accordance with section 80.4 or 81.0.1 of the Pension Benefits Act, an increase in a salary rate, an incremental increase to existing compensation entitlements or new compensation entitlements provided in exchange for an increase in member-required contributions that occurs coincident with and as a result of the conversion are not an increase in a salary rate, an incremental increase to existing compensation entitlements or new compensation entitlements for the purposes of sections 15 and 16.”

The Chair (Ms. Goldie Ghamari): Debate? Seeing none, are the members prepared to vote? All those in favour? All those opposed? Carried.

Shall section 16.2 carry? Carried.

Turning now to section 16.3, government motion number 11: MPP Sandhu.

Mr. Amarjot Sandhu: I move that section 16.3 be added to the bill:

“Exception, prescribed payments

“16.3 The minister may, by regulation, specify that certain compensation provided by employers for the purpose of reducing the growth in compensation costs over the long-term are not an increase in a salary rate, an increase to existing compensation entitlements or new compensation entitlements for the purposes of sections 15 and 16.”

The Chair (Ms. Goldie Ghamari): Debate? Seeing none, are the members prepared to vote? All those in favour? All those opposed? Carried.

Shall section 16.3 carry? Carried.

There are no amendments to sections 17 through 19 of the bill. I propose that we bundle these sections. Is there agreement?

Shall sections 17 through 19, inclusive, carry? Carried.

Turning now to section 20, government motion number 12: MPP Sandhu.

Mr. Amarjot Sandhu: I move that section 20 of the bill be amended by adding the following subsection:

“Same, certain multi-employer agreements

(1.1) If a collective agreement or arbitration award applies to both employers to whom this act applies and

employers to whom this act does not apply, an order made under subsection (1) in respect of the collective agreement or arbitration award applies only with respect to the employers to whom this act applies.”

The Chair (Ms. Goldie Ghamari): Debate? MPP Shaw.

Ms. Sandy Shaw: I’m wondering if perhaps MPP Sandhu can explain the reason or the purpose of this section. It’s not immediately clear.

The Chair (Ms. Goldie Ghamari): MPP Parsa.

Mr. Michael Parsa: The motion actually clarifies the government’s intent with the proposed legislation, and would ensure the equitable application of the proposed legislation to all in-scope employers.

The Chair (Ms. Goldie Ghamari): Debate? MPP Shaw.

Ms. Sandy Shaw: Was this something that came up in your consultation? I’m wondering who proposed this amendment in your consultation. Or was this something that was overlooked in your haste to ram this bill through the Legislature?

Mr. Michael Parsa: The consultation process—can we disclose who actually—

Ms. Sandy Shaw: No. Why would you disclose any—

Mr. Michael Parsa: We can’t.

Ms. Sandy Shaw: No. So I’m just wondering: Was this something that was overlooked in the bill?

Mr. Michael Parsa: As I said to you, when the bill was proposed and tabled on June 5, there was still an opportunity for people to be able to participate. We were very clear about that, Madam Chair. I don’t know why that surprises my colleague.

Ms. Sandy Shaw: It seems like it was a significant error in the bill, because you’re now having to state that people who aren’t covered by the bill, that are not subject to the bill or are not covered by the bill—and that seems to be a very fundamental piece of the description that should be in the bill—

The Chair (Ms. Goldie Ghamari): I would remind members to please speak one at a time for the purposes of Hansard and recording. Thank you.

MPP Parsa.

Mr. Michael Parsa: I know my colleague refers to it as an error, but we call it an inclusive process. That’s what this was all about: to be able to reach out to stakeholders to make sure that what we wanted covered—that’s the whole idea of putting a bill forward that helps the people. This process was open, it was transparent and we got feedback from our stakeholders and partners. That’s why these amendments are coming through.

The Chair (Ms. Goldie Ghamari): Further debate? MPP Shaw.

Ms. Sandy Shaw: Just a final comment: I imagine that this being described as a bill that helps people would be quite—I can’t even imagine the hypocrisy of using that, when it will affect a million people and their families in ways that they have not really supported through whatever consultation you’re talking about.

I appreciate the government’s too-little, too-late trying to amend the bill to make it actually legal. Good on you. You’re trying to fix what you should have got right in the first place. So thank you for that.

The Chair (Ms. Goldie Ghamari): Further debate? Seeing none—

Interjection.

The Chair (Ms. Goldie Ghamari): Are the members prepared to vote? Yes. All those in favour? All those opposed? Carried.

Shall section 20, as amended, carry? Carried.

There are no amendments to sections 21 through 32 of the bill. I propose that we bundle these sections. Is there agreement? Agreed.

Shall sections 21 through 32, inclusive, carry? Carried.

Section 32.1 is a new section. I turn now to government motion number 13, section 32.1: MPP Sabawy.

0930

Mr. Sheref Sabawy: I move that section 32.1 be added to the bill:

“Amendments to this act

“Amendments to this act

“32.1(1) Paragraph 3.3 of subsection 5(2) of this act is repealed and the following substituted:

“3.3 A police governing authority referred to in section 101 of the Community Safety and Policing Act, 2019.”

“(2) Subsection 5(2) of this act is amended by adding the following paragraph:

“3.4 A First Nation board constituted under section 32 of the Community Safety and Policing Act, 2019.”

“(3) Subsection 5(2) of this act is amended by adding the following paragraph:

“3.5 A First Nation O.P.P. board constituted under section 77 of the Community Safety and Policing Act, 2019.”

The Chair (Ms. Goldie Ghamari): Debate? Seeing none, are the members prepared to vote? Thank you. All those in favour? All those opposed? Carried.

Shall section 32.1 carry? Carried.

There are no amendments to sections 33 through 35 of the bill. I propose that we bundle these sections. Is there agreement? Shall sections 33 through 35, inclusive, carry? Carried.

Turning now to section 36, government motion number 14, section 36: MPP Sabawy.

Mr. Sheref Sabawy: I move that section 36 of the bill be struck out and the following substituted:

“Commencement

“36.(1) Subject to subsections (2), (3) and (4), this act comes into force on a day to be named by proclamation of the Lieutenant General”—

Interjection: Governor.

Mr. Sheref Sabawy: Sorry, “the Lieutenant Governor.”

The Chair (Ms. Goldie Ghamari): Sorry, MPP Sabawy. Just for clarity’s sake, could you kindly repeat the last portion of that sentence, starting with “proclamation”?

Mr. Sheref Sabawy: “Proclamation of the Lieutenant Governor.”

The Chair (Ms. Goldie Ghamari): Thank you.

Mr. Sheref Sabawy: “(2) Subsection 32.1(1) comes into force on the later of the day subsection 5(2) of this act comes into force and the day section 101 of the Community Safety and Policing Act, 2019 comes into force.

“(3) Subsection 32.1(2) comes into force on the later of the day subsection 5(2) of this act comes into force and the day section 32 of the Community Safety and Policing Act, 2019 comes into force.

“(4) Subsection 32.1(3) comes into force on the later of the day subsection 5(2) of this act comes into force and the day section 77 of the Community Safety and Policing Act, 2019 comes into force.”

The Chair (Ms. Goldie Ghamari): Debate? Seeing none—

Interjection.

The Chair (Ms. Goldie Ghamari): Oh, MPP Stevens.

Mrs. Jennifer (Jennie) Stevens: Thank you. This is, to me, just a housekeeping amendment. I feel that sweeping individuals’ Charter of Rights literally under the rug is wrong. This Bill 124 has been rushed through. It’s an extensive bill, and I think it’s very important for individuals and people within Ontario.

If the extensive consideration that the government has said they have done was done properly and was listened to and heard, I think that we wouldn’t have had a full day of people here trying to say to the government that Bill 124 is stripping our Charter of Rights, and you’re literally sweeping it under the rug with housekeeping bills that we’ve passed today. I think that one hour of amendments and looking into this bill for one day is not enough for the people of Ontario. That’s just my opinion.

The Chair (Ms. Goldie Ghamari): Further debate? MPP Kramp.

Mr. Daryl Kramp: In response, I can tell you that I’ve seen legislation brought through in 15, 20, 30 days. This was introduced back on April 4, seven months ago. There was ample opportunity across the board for people to table suggestions, amendments, criticisms, comments, further ways to improve the bill. Of course, hearings were held across the province, and on June 5 it was tabled. Once it’s tabled in the Legislature, then we, as parliamentarians, have that opportunity—individually and through our collective caucuses and committees and support staff—to evaluate all of this information and make the proposed recommendations and/or amendments. And of course, where do the amendments come—we waited and we waited. We’ve obviously put in our own amendments. There were a number of positive suggestions that we’ve had—Ms. Shaw and I certainly had one conversation with regard to low-income PSWs. I would have thought perhaps we could see an amendment along those lines, but we didn’t have that.

I take your concerns very, very seriously, and I don’t use that word casually, because I think we have a responsibility—all of this caucus and all of this committee—to try to implement legislation. It’s one thing to propose it, but it becomes a whole different challenge to implement it. That’s where we need vigilance from all sides of the

coin on that. Legislation, I can assure you, is almost always well-intentioned. There can be differences of opinion, but I very rarely have ever seen legislation that was not well-intended—beauty in the eye of the beholder etc.

So I’m confident that we’re moving forward—but as they say, the door is never closed to the evolution of parliamentary process, and certainly to legislation, further legislation and pending legislation.

Thanks for your co-operation today. We look forward to moving forward.

Quite frankly, I know the government is really seriously intent on dealing with the fiscal reality we have, and we’re looking for partners to be part of the solution. We’ve seen a number of people who are coming on board now, and I’m very hopeful that a lot of people will take the greater good of the province ahead of their own personal interest—just for that year or two or three—until we somehow get some balance back in here and deal with things in a responsible manner.

The Chair (Ms. Goldie Ghamari): Further debate? Seeing none, are the members prepared to vote?

Ms. Sandy Shaw: Chair?

The Chair (Ms. Goldie Ghamari): Yes?

Ms. Sandy Shaw: What are we voting on right now? I’ve lost track.

The Chair (Ms. Goldie Ghamari): Section 36, government notice of motion 14.

All those in favour? All those opposed? Carried.

Shall section 36, as amended, carry? Carried.

We’ll now turn to section 37, the short title. Any debate? Seeing none, are the members prepared to vote? All those in favour? All those opposed? Carried.

Shall section 37 carry? Carried.

We will now return to the preamble. Is there any debate on the preamble? Seeing none, are the members prepared to vote? All those in favour? All those opposed? Carried. Shall the preamble carry? Carried.

We’ll turn now to the title of the bill. Shall the title of the bill carry? All those in favour? All those opposed? Carried.

Shall Bill 124, as amended, carry?

Mr. Mike Schreiner: Is there an option to debate?

The Chair (Ms. Goldie Ghamari): Any debate? MPP Schreiner?

Mr. Mike Schreiner: I appreciate the opportunity to debate.

First of all, I’d like to put on the record a sincere thanks to the House leader’s office for bring forward a unanimous consent motion to allow the Green independent member to participate in questions. I want to thank the government members for ceding some of their time, and I want to thank the other parties and independents of the Legislature for voting in favour of that unanimous consent motion, because I do believe committee hearings are more productive and valuable when all members have an opportunity to participate. So I want to thank all the members of the committee and the Legislature for passing that.

0940

I find this bill deeply troubling. To suspend people's constitutional right to free and collective bargaining threatens their charter rights, and I think it actually exposes the province to significant financial risk. We've already seen with Bill 115, which was brought forward by the McGuinty government, that it lost in court and cost the province over \$100 million. I'm seriously concerned that we're going to expose the province to the exact same kinds of financial risk with this legislation. We had a number of deputants on Monday who suggested that we would be facing legal challenges with this.

I'm also deeply concerned because I believe—and we heard a lot of deputants say this. I think history has shown that there are lots of opportunities at the bargaining table for cost savings and efficiencies to be negotiated and agreed upon between the employer and the employee. When you take away the opportunity for those kinds of conversations to happen in a good-faith way, you restrict the ability for those types of efficiencies and cost savings to be identified at the bargaining table. We again heard that from witnesses on Monday.

While I will acknowledge that the government has brought forward some amendments that I think make a slight improvement to the bill—one of the reasons why I voted for exempting this from First Nations, Indigenous communities and nations—it doesn't take away from the fact that the very premise of this bill is flawed.

I want to finally close by saying that the province's fiscal challenges are real and we need to address those fiscal challenges. I think doing it on the backs of some of the lowest-paid public sector workers in this province isn't the right way to do it.

Fiscal balance is, I guess, an issue of priorities. For example, in last year's fall economic statement, the government could have reversed the tax cuts that were implemented for the wealthiest in our province as a way to move us toward fiscal balance. The government, when they were in opposition, were opposed to the Liberals' unfair hydro plan which, according to the Financial Accountability Officer, is going to cost us \$4.2 billion this year, which is over half of the provincial deficit. At the very least, that could be means-tested so that it only applies to lower-income Ontarians and doesn't apply to the wealthy in our province who can afford to pay their hydro bills.

I would say there are other ways in which the government—if they want to work with the opposition, I'm happy to continue to provide suggestions on how we can raise additional revenue and reduce expenses without taking people's collective bargaining rights away from them, and without legislation that disproportionately impacts some of the lowest-paid workers in our province, who are disproportionately women and people of colour.

I think there are better ways to go about addressing the province's fiscal situation, so I'll be voting against Bill 124 and I encourage all members to vote against it as well. Thank you for the time, Chair.

The Chair (Ms. Goldie Ghamari): Further debate? MPP Shaw.

Ms. Sandy Shaw: To begin, this bill is unconstitutional. If that alone doesn't give the government a reason to withdraw the bill, I don't know what does. Despite what the Premier seems to want to do in the province of Ontario, I think we need to remind him that the Charter of Rights and Freedoms is still a thing in this country, and it needs to be respected.

There was a poll of Canadians. They asked what are the two things that they're most proud of in this country. One was our universal health care and the second was our Charter of Rights and Freedoms. Continually treating the Charter of Rights and Freedoms like an inconvenience is something that's not going to be looked upon well by the voters of Ontario.

Secondly, it's absolutely true that we were left with a mess after 15 years of Liberal rule in the province of Ontario, and we do need to get our financial house in order. But the workers of the province of Ontario, front-line workers—the debt is not their fault. It is my guess that a young woman, a racialized woman trying to work as a personal support worker in a long-term-care home, perhaps cobbling together two or three jobs just to pay her hydro bills—rates are going up—I think that she would be quite surprised to see or hear that the province, the government, thinks that the debt is her responsibility to solve. That is really unjust.

It's really, I would say, lazy legislation. I mean, it targets everyone. As MPP Kramp has suggested, I think if that government truly were listening to the people that consulted with you over the five months when you were in recess or on holiday, or however you want to describe your five-month time away, then certainly you would have been hearing from the people that we heard from for six hours on Monday that this bill unfairly and disproportionately targets women—women who are primarily the workers in the province who are public workers. It targets young workers—young workers who are often working at or below minimum wage in this province—and racialized workers.

This is not the way to begin to put our financial house in order. It really is egregious that this is who you think should pay the price for the ills of 15 years of Liberal rule.

Again, with all due respect to MPP Kramp, the fact that we are not supporting this legislation—there is not enough polish in the world to put a shine on this piece of legislation. So, our position is and will remain that this is legislation that needs to be withdrawn. We will be voting against it, and we would like a recorded vote as well.

The Chair (Ms. Goldie Ghamari): Further debate? MPP Parsa.

Mr. Michael Parsa: Just a couple of points, to my colleague Ms. Shaw: First of all, I want to thank everybody for participating in this and for allowing all of us—I'm always thankful to come into this House and be involved in the process. Although, as my colleague said, we might disagree at times, the end result for all of us is to

deliver the best results for our constituents and for the province. Every single one of us strives to do that.

Madam Chair, the thing that this bill does is exactly that. My honourable colleague talked about young workers and young people. When you're looking at the state of our province, the fiscal mess that we all agree was left behind, it's the responsibility of every one of us to be able to do our part to make sure those young people later on rely on these services that we all rely on right now—that they will be sustainable and will exist for them in the future. They shouldn't be left with a burden that was because a government, for 15 years, neglected services and made a mess in this province. So we all have to do our part.

On the process itself, my honourable colleague talked about the period in which—the five months. I just want to go back and mention this once again, so that my friends know: We're talking about this process—

Interjections.

The Chair (Ms. Goldie Ghamari): I would like to remind all members that loud private conversations are not permitted at the committee table. I would ask that you respect the time of your colleagues and allow them to speak without interruption.

MPP Parsa, you may continue.

Mr. Michael Parsa: This process started back on April 4: six weeks of consultations, in which we had participation from over 68 employer organizations in sectors covering more than 2,500 collective agreements, 57 bargaining agents representing over 780,000 workers across Ontario. I want to stress that all major bargaining agents attended and participated in the consultations.

As a result, the amendments were put forward. That's what the process was all about. It was about doing our part, doing what was right for the province, being fair and reasonable to all, and allowing everyone that's involved in the process to take part—and they did. As a result, amendments were put forward. We listened to them and we brought the amendments forward.

I urge all my colleagues to support the bill, to make sure that we protect the programs that Ontarians rely on, not just today, and that they're sustainable for many, many years and future generations.

The Chair (Ms. Goldie Ghamari): Further debate? MPP Glover.

Mr. Chris Glover: It is a real honour to be part of the discussion in here about this bill.

As my colleagues have said, the problem with this bill is the premise—that it violates the Charter of Rights and Freedoms. We know that this is going to be going to the Supreme Court again, just like Bill 115 did, that it will probably cost the government a lot of money and that it will probably be reversed. I know the government is trying to create a narrative that there was an inclusive consultation on this bill, but how you can have an inclusive consultation on the stripping of your charter rights?

0950

I would ask my colleagues opposite to really think about the Charter of Rights and Freedoms and the

importance of it to our democracy. The thing that shocked me most in my year and a few months as an MPP was on September 12, 2018, when all of the Conservative MPPs voted to suspend the charter rights in order to change the rules of the municipal election in Toronto that was ongoing. That was a historical landmark. That was the first time that anybody had tried to use the “notwithstanding” clause to suspend the charter rights of the people of Ontario. This, again, is another attack on the charter rights of the people of Ontario to free and fair negotiations, which come under section 2(d) of the Charter of Rights and Freedoms.

So there's the financial liability that's going to be coming with this; the other is about fiscal responsibility. I fully agree: We need to look at the deficit, we need to look at the debt. But this government continuously only looks at the cost side; they're not looking at the revenue side. When the Conservatives were in power last time, in the late 1990s, corporate taxes in this province were 15%. They're now 11.5%. Each per cent represents about \$1 billion in forgone revenue. Taxes on the very wealthiest, which you've also cut, continuously get cut, and the people at the bottom are being forced to pay for it.

What I see in just about every piece of legislation that this government has passed in the past year is a growing gap between rich and poor. Think about what this does to front-line workers, to personal support workers, some of whom are making \$15 an hour and shifting from location to location. We've got school bus drivers who are making \$35,000 a year who are going to have their wages capped with this legislation, and at the same time, the deputy ministers just received a 14% pay increase. Many Conservative MPPs became parliamentary assistants and received a 14% pay increase—

Interjections.

The Chair (Ms. Goldie Ghamari): Sorry, MPP Glover; my apologies. I don't wish to interrupt. However, I would like to remind all members on both sides of the table to make your comments through the Chair and to provide the courtesy of your attention to the member who has the floor. This goes for both sides.

Thank you, MPP Glover. You may continue.

Mr. Chris Glover: I think the important thing is to lead by example. If the government really was concerned about the deficit and the debt, then they should be leading by example. They should not be giving their wealthy friends a tax cut. They should not be giving a corporate tax cut. They should actually be really looking at the revenue side instead of cutting revenue and then cutting wages for workers—because it sends the wrong message to workers. It sends the message to be workers that this is the rich versus the poor, and the poor are getting screwed by this legislation. I really think that is important: that the government lead by example.

The other thing that's going to happen with this legislation is that there are going to be worker shortages. We're already seeing it with personal support workers. We cannot get enough personal support workers. Why would somebody be a personal support worker, where you have

to go to college, get trained and get a certificate, and then you're making just barely over minimum wage and you're shifting from location to location—because with the cuts to supports, people often get one hour or two hours of PSW time per day, so the person has to go from location to location all day—when they could just go to Tim Horton or somewhere else and work for minimum wage and just do an eight-hour shift in one location?

I think there's going to be a real worker shortage, and that's going to affect the people who need the personal support workers, the seniors in our communities who need those personal support workers.

There's also a shortage of school bus drivers. I was a school board trustee before this, and one of the challenges we had was there weren't enough school bus drivers to actually drive all the buses that we needed. We couldn't get them because it's a split shift and the wages are so low. Why would somebody want to work there? You work in the morning and you drive the kids to school; you work in the afternoon and you drive the kids home from school. It's a long day, but you're only getting paid for a few hours at the beginning and the end of each of those days.

I think there's going to be a real worker shortage that's going to come partly from this bill, because it restricts the ability of the employers and the employees to actually negotiate a fair settlement that will make sure that the compensation is adequate to actually attract the employees that we need in this province.

Those are my comments. I hope the government will consider them. The most important one is, please, don't pass any more legislation in this term that attacks the Charter of Rights and Freedoms of the people of Ontario.

The Chair (Ms. Goldie Ghamari): Further debate? MPP Shaw? My apologies. MPP Stevens. Sorry, it's a little—

Mrs. Jennifer (Jennie) Stevens: Thank you, Chair. That's okay. It's all the S's in a row, right?

Again, I'm going to piggyback on what my colleagues have said here to the government. The constitutional rights of the people of Ontario—you're stripping them of their charter rights. Again, I can't explain how important consultation is with these people.

You say your process started on April 4 and you went six months with consultation. We heard from our delegates here on Monday, I believe it was, that the government didn't show up to the table. So when you say you were at every table and you were listening and you had your ears on and they weren't painted on and you were listening to these people—they came and they said, “We didn't see you.” So I question that you listened.

The hastiness of putting it through this term and time allocation—we've seen day in and day out—

Interjections.

The Chair (Ms. Goldie Ghamari): My apologies, MPP Stevens, to interrupt. I would like to remind members that loud, private conversations are not permitted at the table. It is distracting. If the Chair can hear you, then others can hear you, and it takes away from the time that other members have. Kindly keep your conversations to a whisper, or you're welcome to take it outside into the hall.

MPP Stevens, you may continue.

Mrs. Jennifer (Jennie) Stevens: Thank you, Chair. I've got my mother ears on, so I didn't hear them.

Again, this bill does affect the lowest taxpayers within Ontario. You're looking at mostly women's jobs, jobs that are held by women—we heard that from our delegates—the lowest-paid on the income bracket.

Getting back to your time allocation of bills that we see in the House day in and day out, I wish that you would slow the process down. Have three or four days within this building, within these walls, and listen to the people of Ontario, please. If anything, please listen to what they said and withdraw this bill. Withdraw it, and let's go at it again. These 14 amendments that we made today—there were some really important ones, but it shows that we were not ready to vote on this and the public in Ontario wasn't. It's basically a housekeeping hit on the people of Ontario. Withdraw.

The Chair (Ms. Goldie Ghamari): Further debate? Seeing none, are the members prepared to vote?

Mr. Mike Schreiner: A recorded vote, please.

The Chair (Ms. Goldie Ghamari): Just a reminder, we are voting on whether Bill 124, as amended, shall carry. Are the members prepared to vote? Yes.

Ayes

Cuzzetto, Harris, Kramp, Parsa, Sabawy, Sandhu.

Nays

Glover, Schreiner, Shaw, Stevens.

The Chair (Ms. Goldie Ghamari): Bill 124, as amended, is carried.

Shall I report the bill, as amended, to the House? All those in favour, please raise your hands. All those opposed? Carried.

Thank you, everyone, for your co-operation this morning. We are now adjourned.

The committee adjourned at 0959.

STANDING COMMITTEE ON GENERAL GOVERNMENT

Chair / Présidente

Ms. Goldie Ghamari (Carleton PC)

Vice-Chair / Vice-Président

Mr. Daryl Kramp (Hastings–Lennox and Addington PC)

Mr. Robert Bailey (Sarnia–Lambton PC)

Ms. Jessica Bell (University–Rosedale ND)

Ms. Goldie Ghamari (Carleton PC)

Mr. Chris Glover (Spadina–Fort York ND)

Mr. Mike Harris (Kitchener–Conestoga PC)

Mr. Daryl Kramp (Hastings–Lennox and Addington PC)

Mr. Sheref Sabawy (Mississauga–Erin Mills PC)

Mr. Amarjot Sandhu (Brampton West / Brampton-Ouest PC)

Mr. Mike Schreiner (Guelph G)

Mrs. Jennifer (Jennie) Stevens (St. Catharines ND)

Mrs. Daisy Wai (Richmond Hill PC)

Substitutions / Membres remplaçants

Mr. Rudy Cuzzetto (Mississauga–Lakeshore PC)

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

Ms. Sandy Shaw (Hamilton West–Ancaster–Dundas / Hamilton-Ouest–Ancaster–Dundas ND)

Clerk / Greffière

Ms. Jocelyn McCauley

Staff / Personnel

Mr. Ian Morris, research officer,
Research Services