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(Hansard)**

**Journal  
des débats  
(Hansard)**

**Wednesday 9 December 2009**

**Mercredi 9 décembre 2009**

Speaker  
Honourable Steve Peters

Président  
L'honorable Steve Peters

Clerk  
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Greffière  
Deborah Deller

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**LEGISLATIVE ASSEMBLY  
OF ONTARIO**

Wednesday 9 December 2009

**ASSEMBLÉE LÉGISLATIVE  
DE L'ONTARIO**

Mercredi 9 décembre 2009

*The House met at 0900.*

**The Speaker (Hon. Steve Peters):** Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence for inner thought and personal reflection.

*Prayers.*

**ORDERS OF THE DAY**

**ONTARIO TAX PLAN FOR MORE JOBS  
AND GROWTH ACT, 2009**

**LOI DE 2009 SUR LE PLAN FISCAL  
DE L'ONTARIO POUR ACCROÎTRE  
L'EMPLOI ET LA CROISSANCE**

Mr. Duncan moved third reading of the following bill:

Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts / *Projet de loi 218, Loi mettant en oeuvre certaines mesures énoncées dans le Budget de 2009 et édictant, modifiant ou abrogeant diverses lois.*

**The Speaker (Hon. Steve Peters):** Debate?

**Hon. Dwight Duncan:** Mr. Speaker, I will be sharing my time with my colleague from Pickering.

In the nine months since we introduced the budget, we have had some 40 hours of debate around all of the aspects of the budget. Of course, the most contentious and the most difficult part has been the tax reform package that the government brought forward. This package is designed to make Ontario more competitive, to give us a brighter future and to lower taxes for some 93% of Ontarians.

Since the budget was implemented, like all of my colleagues on this side of the House, I have had the opportunity to participate in a range of forums, a range of speaking opportunities, a range of question-and-answer sessions. I remember, I think it was the Saturday after I introduced the budget, I was at a local Canadian Tire and a retired schoolteacher who had been a supporter of mine came up to me and he wasn't too happy about the HST. He was saying, "I'm going to have to pay for my haircuts now, and a variety of other things." It turns out that about 18% of the things that we currently buy are now going to be subject to the HST that weren't subject to the PST. We had a chance to talk, and I explained to him the fact that his property tax credit for seniors would be doubled, that his personal income taxes would be reduced, and he

still wasn't certain. I'm sure to this day he still has questions. I think that's part of our ongoing challenge: that is, to help people see what I call this package of reforms that will help Ontario's economy as we come out of the recent downturn, help us create jobs.

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Durham.

**Hon. Dwight Duncan:** There are a number of myths around the HST that have been, in my view, amply debunked by some of this province's and country's leading economists. The first one, of course, is that it's a tax grab. It's not; in fact, over the course of the first four years of implementation, the government will forgo some \$3.4 billion in tax revenues resultant from this tax package. That's important for people to understand. They say, "How does that happen?" I'll tell you. It's outlined in the budget, and I would invite people to go online at the Ministry of Finance website to see this. There are billions of personal and business tax cuts.

As Roger Martin and others have pointed out, these tax cuts will make Ontario one of the most competitive jurisdictions, both on the corporate tax side and on the personal income tax side, which again will stimulate jobs and stimulate growth in the economy.

Jack Mintz, who is a professor at the University of Calgary, was called upon last year as the expert witness for the Conservative Party of Ontario at budget hearings. He was asked by the leader of the Conservative Party, "What is the single most important thing you could do, if you had one thing to do?" Mr. Mintz at that time said that in fact harmonizing the sales tax was what he would do.

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** The odd interjection, although out of order, is tolerated, but constant chatter isn't going to be. We're going to listen to the people who have something to say this morning in a very important debate.

Minister of Finance?

**Hon. Dwight Duncan:** As I indicated earlier, Mr. Mintz came out with a study late this year that indicates that this government's tax package will create some 591,000 net new jobs over the next 10 years. It will raise incomes and in fact—this goes to the second myth—lower prices overall. That was the experience in the Maritime provinces when they harmonized. That has been the experience across all of those provinces when harmonization occurred. So this package overall is a job creator. It will reduce prices. It will raise incomes. It's a

much more efficient form of taxation. That's why so many leading economists have supported it.

I remember the day we introduced the budget, some nine months ago. I was particularly proud that groups as diverse as the Daily Bread Food Bank, the 25 in 5 coalition—a virtual “who's who” of the anti-poverty movement across the province—endorsed the budget. They endorsed raising the Ontario child benefit to \$1,100 two years ahead of schedule. They supported the reduction of the tax bracket on the first \$36,000 of income, an 18% cut overall, to make Ontario the lowest tax jurisdiction at that tax level.

It's that package that I think is why the experts have all chimed in and why we were able to move. It was with the assistance of the federal government that we were able to move. It was with the \$4.3 billion that will help people transition to the new tax system. I think over time that's why virtually every finance minister I've spoken to says this is the one thing they would have done if they could do it all over again, because the evidence is overwhelming and compelling.

Immediately after the budget debate, of course, we had a debate on the budget motion itself, and we heard a lot of debate around the HST and other initiatives in the budget. I remind you that there were considerable other initiatives, including \$32 billion in infrastructure spending over the next two years. That money is in the ground.

My caucus colleagues and I began to attend meetings. I remember one of the first I attended was with my colleague from St. Catharines with the St. Catharines Chamber of Commerce. We took questions and answered. Some of the questions were tough; a lot of people didn't see the whole package, and, again, we will continue to help people see that. We will continue to work with them.

I attended meetings in Thunder Bay with my colleague the Minister of Northern Development, Mines and Forestry, Mr. Gravelle. We spoke before some 200 or 300 people; again, questions—tough questions—about this. People have a right to ask those questions, and the government has an absolute responsibility to explain its policies and programs. Again, the myths around this have been debunked well by a number of economists and others.

#### 0910

I think it's time now to move forward. We've had some 40 hours of debate here in the House. I've lost track of all the sessions I've attended; I think more than 100. Just the other night, I met with representatives of the rural communities—turkey farmers, chicken farmers—all of them expressing their support for this. What they see are exemptions on the sales tax that they've been asking for, for many years, and they recognize, as do farmers across the country, that this type of policy—a harmonized, value-added tax—actually assists farmers, helps our farming community and helps their bottom line. That's why we've been very, very pleased to have their support and endorsement on these measures. That is not to underestimate the challenge of explaining it to all Ontarians,

and that is what we'll continue to do once this bill is passed.

The first tax cut will take effect on January 1, in some two and a half weeks. It will be a cut on income tax, which will be phased-in over a couple of years, followed this summer by corporate tax cuts. The \$4.3 billion from the federal government is being used to help transition people to that. In June and December of next year and in June 2011, they will receive transitional payments to help them adjust to the new tax system.

We have spoken with experts and average citizens across the province. We have participated in debates in this House and in committee. We have heard from people—we have heard from a lot of people. I have personally met with a number of industry groups. I was very proud that we were able to work with the housing community to resolve a number of challenging issues they had, once this was introduced. We were able, as I said, to resolve a number of issues with them.

We continue to work on implementation of the tax. On July 1, the new sales tax system takes effect. Now that we're nine months into it, we've signed the agreement with the federal House, and I was just passed a note that the federal bill passed second reading in the House last night by a vote of 246 to 36, so we are ready to move. Doing nothing is not an option. The status quo is absolutely the wrong thing to do. This package will create jobs.

You know, when the Canadian vehicle manufacturers and exporters came out in favour of this, I was particularly pleased, because in my hometown we have been devastated, as have manufacturing towns everywhere. I must say that I've had criticism from my folks at home about this: wondering about it, why and what are the problems? I believe, to the core of my being, that this is absolutely the single, most important thing we can do to bring auto jobs back to this province.

I was reminded yesterday by my colleague from Peterborough that General Electric announced a \$100-million investment in their plant, which will create jobs. I had a chance to meet with the president of General Electric Canada. She told me, and they've said publicly, that it was as a result of our tax package that they were able to bring that investment to Ontario. Telus and Bell Canada have done the same thing. This package is about jobs and it's about lower taxes overall for people, and I'm committed, as I know my colleagues are, to continuing to help people understand it as we move toward implementation.

I want to take a moment to thank all my colleagues: my parliamentary assistant, Mr. Arthurs, and a variety of others who, I think, have shown leadership and strength as we moved through the various stages of debate—some 40 hours plus in this House, committee hearings and public hearings across the province in a variety of forums.

It's time now to take a clear and well-defined position. It's no longer good enough to say something back in March and something different now. Let's get on the record. Let's see what plans people have. Let's see what

others want to do to create jobs. Let's see a package that will produce this kind of results for Ontario over the next 10 years.

The significance of this tax package should not be lost on everybody watching. We have seen, over the years, growing competition from our sister provinces in Canada with respect to corporate taxes. I had a meeting again last night with a number of tax experts, and I was reminded again that one of the reasons we eliminated the capital tax is that capital moves very quickly. You can move it with the push of a button on a computer now. We could not continue along the path we were going without the fear of loss of more jobs.

So as difficult and as challenging as this is, it is absolutely the right thing to do. I applaud those Ontarians who have stood up, asked questions, opposed. This has been an important debate. It is an important issue. It talks to our future; it talks to our strengths; it talks to our challenges. We believe it's the right plan to get Ontario moving forward, to create jobs, to raise incomes, to raise capital investment, to help our manufacturers.

Finally, a variety of other groups—for instance, the forestry sector—overwhelmingly endorsed this package as being the single most important thing we can do to help the forestry sector get back on its feet here in Ontario. So that's another reason we were glad to do this.

I'm going to yield the floor to my parliamentary assistant and thank him for his leadership both in the development of this policy and now in the implementation, and finally, as we move forward, for helping to educate Ontarians in a dispassionate, rational way about the importance of creating jobs, the importance of capital investment, the importance of a competitive economy. As I said when I introduced this package, when we get through this time, and we will, Ontario will be bigger, Ontario will be better, and Ontario will be stronger.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Ms. Lisa MacLeod:** I'm honoured to lead the debate today on behalf of Tim Hudak and the official opposition. I will be sharing my time with our finance critic, the MPP from Parry Sound–Muskoka, Norm Miller.

It has been clear since the Liberals announced their intention to harmonize our sales tax with the federal GST and implement a \$3-billion tax grab that the PC caucus would oppose it every step of the way. We promised Ontarians that we would fight the \$3-billion Liberal tax grab on the middle class and seniors tooth and nail. We promised Ontarians that we would use every legislative tool at our disposal to fight their 8% tax hike. And we promised Ontarians that we would be their voice in the HST debate, because the official opposition knows they can't afford another McGuinty tax grab—not this time and not ever again.

I admit this fight with the Liberal majority was an uphill battle. The odds were stacked against us. The Liberals, of course, later today, will use their majority to ram this \$3-billion tax grab through.

But I'm proud that every promise Tim Hudak and the PC caucus made, we were able to keep. The other side

can't claim that victory. It's a moral one, and it's an important one. The PC caucus is proud to be the team who sided with soccer moms in Barrie, the retired police officers in Hamilton and those trying to make a living as hairstylists, massage therapists, and the tourism industry everywhere from Nepean to Niagara, Kingston to Kenora, and every village, city and town in between.

Benjamin Disraeli once said, "that all power is a trust; that we are accountable for its exercise; that from the people and for the people all springs, and all must exist." Sadly, this Liberal government has forgotten that, if they ever knew it.

Some may talk about antics, they may disparage stunts, and they may even dismiss this fight against the HST. For them I feel regret. In the years to come, our province is going to look back at this HST debate as more than just another law and as more than just another McGuinty tax grab. In fact, these were the moments that defined the Liberal government as out of touch. As much as they may claim victory on legislation today, it is they who will ultimately lose. In fact, I believe they have already lost. Not only did they consistently shut down debate on the HST, but they limited public hearings for the people who wanted answers from their government—consistently. Over three dozen Ontarians who wanted to come to participate in committee were shut down. Almost 200 Ontarians who made written submissions in the very short period of time they were able to, were told their voice didn't matter by the Liberal chair. Ultimately, it was the Liberal government who walked out and cancelled the one meeting where the opposition could make a difference in clause-by-clause. We could have legitimately improved the bill and softened the harsh impact that the \$3-billion McGuinty tax grab will have on Ontarians.

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** Order. Thank you.

**0920**

**Ms. Lisa MacLeod:** When the Liberals walked out of committee hearings, they hammered home their contempt of those in this chamber and of the public who dared to get in the way of their rush to whatever's left in our wallets.

But these moments also showcase the unity, the resolve and the determination of Tim Hudak and the PC caucus. We used every tool at our disposal, and as my colleague from Parry Sound–Muskoka points out, that even included a forklift, which was used to carry over 500,000 amendments that would have saved Ontario taxpayers from paying billions more. Everyone in the PC caucus can be proud leaving this chamber today knowing that they defended Ontario taxpayers by doing everything possible to stop this tax grab.

But above all, these moments brought forward the emotions of Ontarians, the likes of which I have not seen since being elected to this place just short of four years ago. How else can you explain the hundreds of thousands of Ontarians who signed petitions to oppose the 8% tax

grab on home heating, haircuts, snow removal and Christmas trees? How else can you describe the hundreds of Ontarians who showed up at this chamber at Queen's Park to protest the \$3-billion tax grab on families and the middle class?

And how else do you explain these comments from Barrie? "The biggest insult of all to we citizens has to be the additional 8% tax increase the provincial government is going to add on the debt retirement payments we now pay because of the former Ontario Hydro's \$38-billion debt. This is tax on tax on tax.... Oh, boy!" That's from Jack Garner of Barrie.

From Brant: "It's going to be a negative impact on the majority of us. It's another thing that will make it difficult for seniors to stay independent in their homes." That's from Doris Post.

Doug Priest from Haliburton-Kawartha Lakes-Brock says: "This province will be crippled if this unprecedented tax grab, cleverly disguised as the harmonized sales tax, comes into effect. It will mostly hurt retired people and people on ... fixed incomes."

*Interjection.*

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Huron-Bruce, come to order.

**Ms. Lisa MacLeod:** William Sinclair of Oakville says, "The HST, by attacking the basic necessities of living, is unfair to students, working families and especially seniors. It should be amended to substantially lower the rate or be scrapped altogether."

From Peterborough: "I am so insulted and unforgiving of the HST proposal. Based on his comments in the article, it is my opinion that Mr. Leal needs to find a better day job and learn some accounting if he wants to know how a box is taxed. Or work on getting a conscience."

Clark and Jo-Ann Thompson of Timiskaming-Cochrane: "The new HST increases in items never taxed before will cause hardships on those on fixed incomes. Knowing northern Ontario problems, I would have hoped the northern members in the Liberal Party would have had more influence with the Premier."

When the Liberal government decided to shut down the voices that opposed them at committee, I received a letter from Mississauga. I'm going to read the whole thing:

"I watched with great interest, and with a growing sense of revulsion and disgust, at the way you were treated in committee on Thursday, December 3.... I viewed, via the Ontario Parliament network, the committee hearings, and I was particularly impressed with your no-nonsense, straight-to-business attitude.

"However, I found myself being actually embarrassed, when Bob Delaney (Acting Chair) deliberately spoke over you, a most discourteous action and one that Mrs. Albanese repeated later on in the committee's deliberations.

"I will be perfectly honest with you: I am not a supporter of the Conservative Party. However, the right of freedom of speech and conscience is fundamental to democracy, and any infringement, no matter how transient or minor, denigrates our society as a whole.

"I feel duty bound to offer my apologies to you for the rather rude treatment at the hands of Mr. Delaney. At this point, you are probably wondering why a complete stranger would take the time and trouble to compose and dispatch a letter apologizing for the ill-mannered conduct of somebody else.

"Well, in response, I have to admit that Bob Delaney is my MPP ... and quite frankly, I am ashamed of his conduct in committee. Not only did he demean you with his actions, he also demeaned himself and the political process as a whole.

"I took great interest in your attempts to extend the committee [sitting] time past the 6 p.m. cut-off, and was disappointed but not very surprised when the majority Liberals on the committee objected.

*Interjection.*

**Ms. Lisa MacLeod:** That's from Mr. Wulf Hallifax.

The time for debate put forward by the Liberals today is too draconian to speak in more depth on the HST bill, but I'll leave you with one simple, yet profound, thought on liberty. John Stuart Mill, a British Liberal in 1859, said, "The tyranny of the majority" is now generally included among the evils against which society requires to be on its guard."

I want to thank Ontarians—Mr. Wulf Hallifax and so many others who contacted official opposition offices—for joining us in the fight against the HST. I want to assure Ontarians that we in the opposition are going to continue to be on guard for them in the next two years, to hold this Liberal government accountable for the new \$3 billion in revenues they will be taking in off the backs of seniors and the working middle class. You should be ashamed of yourselves, Liberal Party.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Peter Tabuns:** I'm pleased to have the opportunity to address this issue. The reality of this tax is that it is going to hit the arts community quite hard. There was a promise made by this government a number of years ago to remove the provincial sales tax from tickets for live theatre. That promise was welcomed greatly by people in the cultural community, who understood the need to give that kind of support to the arts. That has been swept away. That support has been swept away.

When you talk to actors, musicians and others who are trying to make a living in the arts—and finding it extraordinarily difficult in this province and in this recession—you realize very quickly that for most of them, the HST is going to mean a reduction in their standard of living. The simple reality is that musicians who play at private functions already find they have difficulty collecting from people, because people don't have a lot of cash in their pockets. They realize—and they are very clear and direct in their statements—that they will have to absorb this HST, that in fact they will not be able to pass that cost on to the public—to their customers and their clients—and will simply see a reduction in their incomes.

This bill, supposedly to help the people of this province, is going to result in a reduction in their standard of

living. It's going to result in a reduction in the standard of living for a large number of artists and people who work on a freelance or self-employed basis. They realize they will not be able—

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** Could the conversations be taken outside? If I can hear them, I'm sure the member who has the floor can hear them.

**Ms. Cheri DiNovo:** Stop the clock, Mr. Speaker.

**The Deputy Speaker (Mr. Bruce Crozier):** I'll take care of things here in the chair; you understand that.

The member from Toronto–Danforth.

**Mr. Peter Tabuns:** Thank you, Speaker.

If this government is committed to small business people, the self-employed, actors and musicians, then it will not move this tax forward. It will abandon this project and respect the need of people in this province to make a living and be able to afford the necessities of life.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

0930

**Hon. Monique M. Smith:** I am pleased to have the opportunity to speak to Bill 218 ever so briefly, as the member for Pickering–Scarborough East will be finishing off for us and has done such a tremendous job on our behalf.

My city council has asked me to read its resolution, and while some have suggested that the resolution is somewhat politically motivated, I will read it. It was addressed to Yasir Naqvi, the Minister of Revenue, and I was afraid it might go astray. I am reading it on behalf of the city.

“Whereas the North Bay city council has previously approved a motion on September 21, 2009 requesting that the proposed provincial harmonized sales tax (HST) not create a new tax burden for Ontario citizens; and

“Whereas that motion further stated that items that previously had only one level of taxation (GST) on them not have the new PST levies added through harmonization; and

“Whereas the provincial government recently showed acknowledgment of the impact of an added tax burden through HST and took action to lessen that burden on November 12, 2009 by exempting coffee, newspapers, and some fast food meals from the new taxation;

“Be it therefore resolved that it is respectfully requested that the province continue to ensure no new tax burden for Ontario residents and move exempt all single taxation items (for example: gasoline, natural gas, and electricity) from any new levies under the proposed HST; and

“Be it further resolved that the province be urged to delay any implementation of the HST until full consultations are held across the province and not just on Bay Street in downtown Toronto; and

“Be it further resolved that the Hon. Monique Smith, MPP Nipissing be requested to read this motion into the Legislature's minutes; and

“Be it further resolved that a copy of this motion be forwarded to the Minister of Revenue; Minister of Finance; Premier of Ontario; leaders of the opposition parties; Hon. Monique Smith ... and to the Federation of Northern Ontario Municipalities.”

I disagree with some of the notions that the city has put forward. I believe that the people of Ontario and the people of North Bay are looking quite forward to the tax cuts that they will receive on January 1, as 93% of Ontarians will be receiving a tax cut.

I've spoken to small businesses in my community, who are quite excited about the fact that we are going to harmonize sales tax; it will help them. I believe that the tax cuts will make Ontario more competitive and will attract jobs, which is incredibly important to the city of North Bay.

I know that the Daily Bread Food Bank and many are supportive of our budget, and I believe that—

*Interjection.*

**The Deputy Speaker (Mr. Bruce Crozier):** The member for Simcoe North will come to order.

**Hon. Monique M. Smith:** —the city of North Bay is looking forward to new jobs and new economic development. I will continue to work with them to ensure that, and I believe that Bill 218 is a very important step in that direction. Thank you for the opportunity, Mr. Speaker.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Norm Miller:** It's my pleasure to have an opportunity to speak to Bill 218, which, of course, is the bill that is bringing in the HST in the province of Ontario.

I'm speaking on behalf of tens of thousands of people who did not have a chance to speak for themselves in protest to the McGuinty government's harmonized tax plan. I'm speaking for seniors and middle-class families, who simply cannot afford to pay another 8% on hydro, home heating, oil, gasoline and a host of services. I'm speaking for small business owners, who understand that this tax will curb consumer spending and delay the economic recovery they desperately need. I'm speaking for the contractors, who know that this tax plan will fuel a growing underground economy.

I'm pleased to see that the member from Nipissing got on the record the resolution from the city of North Bay, which I have before me, because to this point, even though she had been asked to bring it to committee, she had not. So she did read it out. She didn't seem to read it with a lot of passion, though. In fact, it was speed-reading at its best. It is noteworthy that this resolution, which is number 2009-765, was unanimously passed by council at its regular meeting held on November 30. To this point, the member had said that she didn't have this resolution, didn't have time to deal with it. So I'm pleased to see that it's on the record now, but not much passion there.

I think it's also clear that the resolution—one of the points it stated was: “Be it further resolved that the province be urged to delay any implementation of the HST until full consultations are held across the province and not just on Bay Street in downtown Toronto.”

It's very clear that the government did not listen to that part of the resolution. In fact, the member from Nipissing, in her role as the House leader, brought in a time allocation motion which was quite draconian and which basically forced this through so that we had all of a day and a half of public hearings, with very, very little opportunity for people to even know about it. There was not any advertising to speak of about when these public hearings were going to occur. It was a matter of hours' notice. It's amazing that anybody even knew about them, and they showed up. There were no public hearings outside of the city of Toronto here at Queen's Park, despite the opposition doing everything we could to try to get the government to have even one day of public hearings outside of Queen's Park. We would have loved to go to North Bay, for example, to let the people of Nipissing have their say, because I know the members of the opposition are hearing big time from thousands—thousands—of average people around the province who are concerned about what this bill is going to do and what this extra 8% is going to do to them. Despite having no advertising for the public hearings and very little warning about them, we did hear from many people concerned about this new tax.

The government has said that this is going to create some 600,000 jobs over six years, I think it is. Can they believe it? We just heard from the Auditor General yesterday that they also said they saved \$45 million with the buy-Ontario program, and it was in the budget document. Now we learn from the Auditor General that in fact, no, they didn't save \$45 million; they saved far less than that. The bit they did save, they actually spent, so it was less than \$1 million. So in fact, the budget document was incorrect. If it's in the budget document saying that they saved \$45 million when they really didn't, what can be believed as to their job claims? So far we've seen no evidence that any of their claims—I think the Premier has made claims about possibly creating a million jobs, if you add up all the various claims, the 50,000 for the Green Energy Act and other various job claims. What can you really believe?

We heard at committee from those who are going to be affected. Overwhelmingly, the people who did discover these public hearings at Queen's Park were voicing their concerns, and it was a wide variety of different groups. We heard from associations of children's camps around the province who came. There are lots of them in Parry Sound—Muskoka, and they came and spoke and said they're concerned that the 8% extra cost on fees will result in a 10% reduction in participation at children's camps. You'll have fewer kids getting exposed to camps and getting physical exercise etc. Also, when we asked them what it's going to mean for employment, they expected 10% fewer jobs for young people around the province.

We heard from Curves, from fitness gyms, who are very concerned that it's going to have a negative impact on their business and on employment in their business, and go against the government's own objectives of trying

to promote healthier lifestyles. We heard from bowling alleys that are concerned it's going to have a negative impact on their business. We heard from the real estate industry that it's going to have a negative effect on the purchase of new homes, the 8% on various fees to do with real estate transactions.

We heard from condo owners who are very concerned about the 8% on all the management fees. It's going to be a significant new cost for condo owners across the province. We heard from the golf course associations. Certainly, golf is a recreational activity, but it's also a really big business here in the province of Ontario that employs thousands and thousands of people. And guess what? This is going to have a huge negative impact on the golf course businesses across the province.

Everyone we're hearing from is telling us there are going to be fewer jobs, not more. So based on the government's record, can you really believe this latest claim that they made?

We heard from the investment industry—this is an area that I think is particularly bad—which says that the 8% on management fees for mutual funds is going to cost Ontario residents, they estimate, between \$300 million and \$500 million a year in extra tax on people trying to save for their retirement. They also pointed out that in Canada we are unique in the areas that have value-added taxes and that other jurisdictions either have a rebate or don't tax mutual funds. So this is unique in the way that it's being done here in Ontario, where people's retirement savings are going to be taxed, and it's going to make it much more difficult for them to raise the funds they need to be able to retire.

#### 0940

We heard from massage therapists who are concerned how it's going to negatively impact their work. They also had questions like: Why are physiotherapists exempt and massage therapists not? We heard from athletic therapists as well, concerned about how it's going to negatively affect their work and people being able to afford to get the therapy that they need.

We heard from individual seniors. One senior came before the committee; she looked at her income, looked at all the things that she would be paying for that she doesn't currently pay for, and from that calculation—she went through a detailed calculation—she pointed out that she will be paying some \$2,461 in extra new tax that she isn't currently paying. She expressed concerns that this may mean that she won't be able to afford to stay in her home.

I know I've read into the record countless e-mails from constituents of Parry Sound—Muskoka with the same sorts of concerns. I've used the opportunity. I haven't heard any of the government members; I'm sure they must be getting the same e-mails, but surprisingly none of them have gotten on the record the concerns of their constituents.

Overwhelmingly, at the public hearings—the short, day-and-a-half public hearings—we heard people concerned about how this is going to affect them. Obviously



the government has used time allocation; they've rammed this legislation through. They're not interested in listening to the people of this province. They're out of touch with the people of this province. I think, unfortunately, the great majority of the people of this province are going to discover on July 1, 2010, that the McGuinty tax grab is in fact that, when they go and fill up their car at the pumps and learn that gas is eight cents a litre more. They'll know who they can blame: the McGuinty government for ramming this legislation through.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Ms. Andrea Horwath:** It's my pleasure to rise today and put on the record some really serious concerns that New Democrats have with the harmonized sales tax, not only in terms of what it will do to the people and the businesses of this province, but also the way in which this government behaved in the process of bringing this legislation forward. I say that because we all know that this government has rammed this legislation through as quickly as they possibly can and with as little debate as possible, notwithstanding the loose way that the finance minister dealt with the truth earlier on in his remarks. The truth, in fact, is that there has been no 40 hours of debate in this Legislature on this bill. I don't know where he picked that number from—obviously from somewhere in the sky—because there has been less than 10 hours of debate on this bill in the Legislature, Mr. Speaker, and as a Speaker you would know that very well—less than 10 hours of debate on one of the most important pieces of legislation that are going to the people of this province.

I have to say, I think it's indicative of the way that the government has spun their message on this tax, the way they're spinning their last few remarks in third reading; pretending somehow that there were 40 hours of debate in this Legislature—shame on them. You can't even believe their estimate of how many hours the bill is being debated; how are you going to believe anything they say about the harmonized sales tax? That's what I'll be speaking about in just a few minutes.

There were a couple of hours of time put to this bill in committee, and that's something that I think we all acknowledge. But what was that? That was about 15 or 16 hours here in Toronto. They didn't go across the province. They didn't go to any of the communities where we get e-mails and letters from every single day. Over 200,000 people have contacted New Democrats to say, "We do not want this legislation in the province of Ontario. Tell the government not to bring it forward." They would have wanted to tell the government themselves, but the government refused to take this most important legislation out to public hearings across the province so that the people of Ontario could tell them what they thought of this hare-brained plan. That's the decision the government made, and it's important to put on the record that their claims of consultation are just that: They are claims, and they don't hold water. It is not the case. There were no public hearings.

They might have had some fundraisers where they talked about it; they might have had some by-invitation-

only meetings, the Liberal MPPs—they might have gone out to speak at a few chambers of commerce in the province of Ontario, but they did not hold public meetings on this legislation, and New Democrats say shame on the government for that. Shame on them. Not only did they close down the debate, which is why we only have 20 minutes for each party today to speak to this particular legislation, and not only did they not take this legislation out to public hearings across the province, but right up until Monday night, Liberal members walked out of a committee meeting, refusing to undertake the process to have the clause-by-clause review of this bill take place.

Right up until Monday night they'd been avoiding all of the debate on this bill. Right up until Monday night their members actually walked out of a committee. Shame on them. They have an obligation. They have an obligation to the people of this province to make sure that the bills they bring forward are appropriately scrutinized and reviewed. But this bill, this odious bill—once again, the Liberal government didn't even want to stand up and do the work that needed to be done to get it through the proper processes in this Legislature.

So once again I have to say that New Democrats are—I would say "disappointed" is not strong enough language. We are disgusted with the way this government has behaved in terms of the harmonized sales tax. That's a bit of the process, just to clarify some of the misrepresentations, perhaps, that were brought forward by the finance minister in his remarks around what the process was or wasn't. But I think the more important thing is what we have been hearing from the people of this province as they've been calling us, writing to us and telling us about their worries and concerns.

First and foremost, this legislation is going to kick people when they're already down. The harmonized sales tax is going to financially hurt the people of this province. This government has become so arrogant and so out of touch with the people of Ontario that they don't even realize that people are losing their homes; people are losing their jobs and their pensions; people are suffering. They're struggling in this economy, and this government decides to bring in tax reform that's going to make life a heck of a lot—a hell of a lot—less affordable for people. Shame on them. Shame on them for being so distant from the people that they don't even realize what this legislation is going to do to them, what this tax change is going to do.

That's not me saying it; that's every single one of those 200,000 people or more who have put the petitions into our campaign. It's people every single day, when we go back to our ridings, who say to us as MPPs—and I'm sure they're saying it to them too; the difference is that we listen and they don't—that they are very worried about the impact of this tax, that they're very concerned that it's going to kick them when they're already down.

What else is going to happen? The tax is going to be brought in at a time when we need to have people with a little bit more money in their pocket to spend in the economy, right? It's a counterstimulative tax: 8% more is go-

ing to mean that people are not going to spend as much, because they don't have as much to spend, with this tax added on to the price of so many new goods and services. It's a counterstimulative tax, at a time when we need that kind of stimulation in the economy for people spending money. So it's absolutely wrongheaded in terms of bringing it forward at a time when we already have trouble with our economy. I'm sure the finance minister, although he's giggling over there, recognizes that.

Up until the government paid someone to bring forward a report that justifies their claims around jobs, it's very clear that every other expert in this province has said that the harmonization of taxes is something that slows the rate of job growth in the province of Ontario. This is not something that I've made up. The Ontario Chamber of Commerce has said very clearly that the harmonization of sales tax will reduce the rate of job growth in this province by some 40,000 jobs annually. That's not just me; that's the Ontario Chamber of Commerce, an organization that I don't necessarily tend to quote that often. Who else says that? The CD Howe Institute, another organization that I very rarely quote, but they also have said that there are going to be some 38,000 to 40,000 fewer jobs created in this province as a result of harmonization.

**0950**

I have to say very clearly that these two reports came out without interference and pay by the government. These were independent reports, unlike the report that the government paid for that all of a sudden is totally opposite from what these other reports say. It's playing a game with the facts when this finance minister gets up and says that somehow 600,000 jobs are going to be created.

I think everybody in this province realizes that this government likes to pay out of pocket for all kinds of contracts and all kinds of experts to say whatever their bidding is. Certainly, if you get paid for the report, you're going to put in it what the government paid for, which is something that is different from what every other expert has said so far, at a time when we are shedding jobs in this economy still, to this day.

We have to recognize that any policy that's going to reduce the rate of job growth in the province is absolutely the wrong thing to do.

The shame is that this government is once again ignoring those studies and ignoring that evidence and plowing ahead with something that not only is going to hurt people when they're down financially already, is not only going to reduce the amount of activity in the economy in terms of people spending, but it's also going to reduce the rate of job growth in this province. I say shame on them for that. Shame on them.

This tax is also an unfair tax, because it takes the tax burden off the corporate sector again—the same tired old policies that we have been dealing with for 10, 15, 20 years in this province. This Liberal government is once again giving the big corporations a big tax cut and foisting the responsibility for taxes onto the backs of consumers. That is absolutely wrong.

They like to pretend that somehow this is a progressive tax move. It is absolutely regressive. Consumption taxes are not progressive taxes. Everybody agrees: Consumption taxes are not progressive.

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** I'd like to hear what the person on the floor is saying, and I'm sure you would, too.

Member?

**Ms. Andrea Horwath:** Thank you, Speaker. I appreciate that.

The bottom line is that the government, this Liberal government—I'm kind of laughing, because you'd never guess that they're actually a Liberal government. They're more Conservative than Liberal.

Nonetheless, the bottom line is, this tax is absolutely regressive. It takes the burden for taxation, the responsibility for taxation, off the corporate sector and puts it on to consumers. That is a regressive tax. No matter how you paint it, it is a regressive tax.

This government likes to pretend that somehow this move is the new world order, when in fact it's the oldest trick in the book, and the trick is on the backs of the people of this province. They're the ones getting tricked.

I have to say, they're not being tricked, because they know very well that their government is doing the wrong thing. They know very well that their government is kicking them when they're down. Their government is happy to make life less affordable for them.

Who are those people? My colleague the member for Toronto–Danforth has already talked about the arts community. Small business: My colleague from the riding of Parkdale–High Park reminded me that 80% of small business is opposed to the harmonized sales tax. In fact, the Canadian Federation of Independent Business did a survey of their members and some 60% said they could see no benefit whatsoever, nothing of value at all, in the harmonization of sales taxes.

I go to places like St. Catharines and I get stopped at the farmers' market by people congratulating me on the fight and saying, "We have a small business, and we are not happy with this tax. We do not like what it's going to do. It's going to hurt our small business at a time when our business is already suffering." Talk to bed-and-breakfasts, B&Bs; they say the same thing. People in the tourism industry: They say the same thing. I have to say that small business unequivocally is opposed to this tax.

The Ontario Real Estate Association: They are unequivocally opposed to this tax. Why? Because they believe that the cost of resale housing is going to increase. The cost of the transactions around resale housing is going to increase by some \$1,500, and that is because of an increase in the cost of everything from the legal fees to home inspections to moving costs and everything else. They know that this tax is the wrong thing to do for real estate. They have been very vocal in their opposition and we support them in their concerns.

Rents are going to go up as well, as we know. Condo fees are going to go up. People are struggling to keep

roofs over their heads, they're struggling to make ends meet in this economy, and the most expensive part of their lives, often—their housing costs—are going to go up because of the harmonized sales tax. Maintenance fees are going to increase for condo owners and they're not happy about it, and I don't blame them.

We had a demonstration here not too long ago because the First Nations of this province are disgusted with the way they've been treated by this government. I had the pleasure of standing in the media studio with Ontario Regional Chief Angus Toulouse, with Grand Council Chief Patrick Madahbee, with Grand Chief Randall Phillips and with Grand Chief Stan Beardy. The four of them and myself stood in the media studio as they outlined their serious concern that this government has abrogated its responsibility to the First Nations of this province. Why? Because they did not consult with them at all before bringing in the harmonized sales tax, before signing two memoranda with the federal government. This provincial government signed two memoranda with the federal government without having even a single conversation with the First Nations of Ontario.

This is an infringement on their aboriginal and treaty rights, and there is no doubt about it. It is an infringement on their aboriginal and treaty rights. I am not the one who is making that accusation. In fact, First Nations, the chiefs and the grand chiefs, were here. They came here to tell this government that they have abrogated their responsibility and to warn this government, frankly, that they are not going to stand for this kind of disrespect any more, and I don't blame them one bit. This government likes to talk a good talk about a new relationship with First Nations, but when it comes to walking the walk, every single chief who was here—and there were many—told me that they feel the same way, and that is that this government has not been treating them with a respectful government-to-government dialogue. That is problematic and it's something this government needs to deal with.

We've been bringing all kinds of stories into this Legislature day after day. I have hundreds of them on my desk. I was hoping to read a couple of more into the record and I think I might just do that. I'm going to read this one because I think it's an important one. They're all important, though.

This is from Bev MacWilliams in Toronto, and she says this:

“Dear Premier,

“As a mid-sized company employing 50 plus employees, I would like to voice my displeasure with your government's idea of implementing the harmonized sales tax. During a time when it is hard enough to keep our businesses afloat and staff employed, why would you add another tax? Our company is in the service industry. Currently we charge GST on our product to our clients and no PST applies as it is a service. Your proposed tax would now add another 8% to the total package that we sell. I have three questions to ask you below:

“If you were one of the owners of the company, how would you deal with the additional 8% tax that you now

have to add in? Oh, and let's also remember that much of your business that has confirmed after July 2010 has bought a package that did not include the additional 8% tax that it was exempt from before.”

She goes on to explain in detail exactly how bad this tax is going to be for her business.

Deputant after deputant came to the committee the other day and told this government, “Do not implement this tax.” They came from small business, they came from seniors' organizations, the municipal retirees of Ontario, CARP, the Canadian Association of Retired Persons—all of these organizations came and spoke against the tax, as did real estate associations, individuals one after the other, single parents, senior citizens, small business owners.

The harmonized sales tax is the wrong thing for the province of Ontario, it's the wrong thing for the people of Ontario, and this government should simply not vote for it.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Wayne Arthurs:** Thank you, Speaker. I'm cognizant of the clock, but I do want to make a few comments.

I first want to comment, if I can, very briefly on the process that we have undertaken, and it's not a process that we're unfamiliar with. We've had first reading, second reading, we have had committee hearings, and now we're having third reading debate.

I would suggest to this House that the choices the government had to make in the context of finishing its business were precipitated by the actions of the official opposition. The stunts, as they've referred to them, such as banging on your desk, walking out on question period, ringing bells interminably for hours, having their members ejected not for days but potentially until October 2011, were clear actions that left the government no choice but to time-allocate this bill in the interest of completing its work.

The official opposition presented to the Legislative Assembly, at noon hour on Monday, 500,000—

*Interjections.*

**The Deputy Speaker (Mr. Bruce Crozier):** Order. Member take his seat. We don't have far to go, so just behave yourselves.

**Mr. Garfield Dunlop:** This is disgraceful.

**The Deputy Speaker (Mr. Bruce Crozier):** What did I just say? The member for Simcoe North, didn't I ask you to come to order? I would like you to do it for just a few minutes.

Member for Pickering–Scarborough East.

**Mr. Wayne Arthurs:** Some 500,000 amendments, and their desire was to have those amendments on a recorded vote. If we allowed two seconds for each amendment to be read into the record, let alone being voted on, a rough calculation would have taken us 24 hours a day for something like 10 days merely to read those amendments into the record. The opposition was filibustering and being obstructive.

I said, when I stood on second reading, when asked if members would stand and indicate whether or not they support the HST, or the value-added tax—I said it then, and I will say it now: This is the right thing to do for this province. It's the right thing to do in this country.

The federal government, as of last night, on second reading, by a vote of 246 to 36, approved second reading of this initiative. Federal members from parties across this country have signalled that this initiative is the right thing to do for Canadians, and we're doing the right thing for Ontarians.

With 50 seconds left, I want to reference a letter to Mr. Tim Hudak, the Leader of the Opposition, from the Ontario Chamber of Commerce, dated October 21. The Ontario Chamber of Commerce said:

“As you are well aware, the Ontario Chamber of Commerce has been a strong proponent of a harmonized sales tax—as an integral part of a larger, comprehensive tax reform strategy—for a number of years.

“Since 2004, our chamber network of 160 local chambers of commerce and boards of trade, representing some 60,000 businesses of all sizes from all areas of the economy, have strongly endorsed this comprehensive tax reform.”

This speaks to small business in the province of Ontario, and it's what we should be doing. We're doing the right—

**The Deputy Speaker (Mr. Bruce Crozier):** Thank you.

Pursuant to the order of the House dated December 1, 2009, I am now required to put the question.

Mr. Duncan has moved third reading of Bill 218, An Act to implement 2009 Budget measures and to enact, amend or repeal various Acts. Is it the pleasure of the House that the motion carry?

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1003 to 1008.*

**The Deputy Speaker (Mr. Bruce Crozier):** All those in favour, please stand one at a time and be recognized by the Clerk.

#### Ayes

|                       |                     |                     |
|-----------------------|---------------------|---------------------|
| Aggelonitis, Sophia   | Flynn, Kevin Daniel | Moridi, Reza        |
| Albanese, Laura       | Fonseca, Peter      | Naqvi, Yasir        |
| Arthurs, Wayne        | Gravelle, Michael   | Oraziotti, David    |
| Balkissoon, Bas       | Hoskins, Eric       | Pendergast, Leeanna |
| Bartolucci, Rick      | Jaczek, Helena      | Phillips, Gerry     |
| Bentley, Christopher  | Jeffrey, Linda      | Qaadri, Shafiq      |
| Berardinetti, Lorenzo | Johnson, Rick       | Ramsay, David       |
| Bradley, James J.     | Kular, Kuldeep      | Rinaldi, Lou        |
| Broten, Laurel C.     | Kwinter, Monte      | Sandals, Liz        |
| Brown, Michael A.     | Lalonde, Jean-Marc  | Sergio, Mario       |
| Cansfield, Donna H.   | Leal, Jeff          | Smith, Monique      |
| Caplan, David         | Levac, Dave         | Sousa, Charles      |
| Carroll, Aileen       | Mangat, Amrit       | Takhar, Harinder S. |
| Chan, Michael         | Matthews, Deborah   | Van Bommel, Maria   |
| Colle, Mike           | Mauro, Bill         | Watson, Jim         |
| Dickson, Joe          | McNeely, Phil       | Wilkinson, John     |
| Dombrowsky, Leona     | Meilleur, Madeleine | Wynne, Kathleen O.  |
| Duguid, Brad          | Milloy, John        | Zimmer, David       |
| Duncan, Dwight        | Mitchell, Carol     |                     |

**The Deputy Speaker (Mr. Bruce Crozier):** All those opposed, please stand one at a time and be recognized by the Clerk.

#### Nays

|                  |                   |                     |
|------------------|-------------------|---------------------|
| Arnott, Ted      | Hudak, Tim        | Prue, Michael       |
| Bailey, Robert   | Jones, Sylvia     | Runciman, Robert W. |
| Barrett, Toby    | Klees, Frank      | Savoline, Joyce     |
| Bisson, Gilles   | MacLeod, Lisa     | Shurman, Peter      |
| Chudleigh, Ted   | Marchese, Rosario | Sterling, Norman W. |
| DiNovo, Cheri    | Martiniuk, Gerry  | Tabuns, Peter       |
| Dunlop, Garfield | Miller, Norm      | Wilson, Jim         |
| Hampton, Howard  | Miller, Paul      | Witmer, Elizabeth   |
| Hardeman, Ernie  | Munro, Julia      | Yakubuski, John     |
| Horwath, Andrea  | O'Toole, John     |                     |

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 56; the nays are 29.

**The Deputy Speaker (Mr. Bruce Crozier):** I declare the motion carried.

Be it resolved that the bill do now pass and be named as in the motion.

*Third reading agreed to.*

### ONTARIO LABOUR MOBILITY ACT, 2009 LOI ONTARIENNE DE 2009 SUR LA MOBILITÉ DE LA MAIN-D'OEUVRE

Ms. Smith, on behalf of Mr. Milloy, moved third reading of the following bill:

Bill 175, An Act to enhance labour mobility between Ontario and other Canadian provinces and territories /  
Projet de loi 175, Loi visant à accroître la mobilité de la main-d'oeuvre entre l'Ontario et les autres provinces et les territoires du Canada.

**The Deputy Speaker (Mr. Bruce Crozier):** Pursuant to the order of the House dated November 30, 2009, I am now required to put the question. Ms. Smith has moved third reading of Bill 175, An Act to enhance labour mobility between Ontario and other Canadian provinces and territories.

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

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1014 to 1019.*

**The Deputy Speaker (Mr. Bruce Crozier):** All those in favour, please stand one at a time and be recognized by the Clerk.

#### Ayes

|                       |                     |                     |
|-----------------------|---------------------|---------------------|
| Aggelonitis, Sophia   | Flynn, Kevin Daniel | Naqvi, Yasir        |
| Albanese, Laura       | Fonseca, Peter      | Oraziotti, David    |
| Arthurs, Wayne        | Gravelle, Michael   | Pendergast, Leeanna |
| Balkissoon, Bas       | Hoskins, Eric       | Phillips, Gerry     |
| Bartolucci, Rick      | Jaczek, Helena      | Qaadri, Shafiq      |
| Bentley, Christopher  | Jeffrey, Linda      | Ramsay, David       |
| Berardinetti, Lorenzo | Johnson, Rick       | Rinaldi, Lou        |
| Bradley, James J.     | Kular, Kuldeep      | Ruprecht, Tony      |

|                     |                     |                     |
|---------------------|---------------------|---------------------|
| Broten, Laurel C.   | Lalonde, Jean-Marc  | Sandals, Liz        |
| Brown, Michael A.   | Leal, Jeff          | Sergio, Mario       |
| Cansfield, Donna H. | Levac, Dave         | Smith, Monique      |
| Caplan, David       | Mangat, Amrit       | Sousa, Charles      |
| Carrroll, Aileen    | Matthews, Deborah   | Takhar, Harinder S. |
| Chan, Michael       | Mauro, Bill         | Van Bommel, Maria   |
| Colle, Mike         | McNeely, Phil       | Watson, Jim         |
| Dickson, Joe        | Meilleur, Madeleine | Wilkinson, John     |
| Dombrowsky, Leona   | Milloy, John        | Wynne, Kathleen O.  |
| Duguid, Brad        | Mitchell, Carol     | Zimmer, David       |
| Duncan, Dwight      | Moridi, Reza        |                     |

**The Deputy Speaker (Mr. Bruce Crozier):** All those opposed, please stand one at a time and be recognized by the Clerk.

#### Nays

|                  |                   |                     |
|------------------|-------------------|---------------------|
| Arnott, Ted      | Hudak, Tim        | Prue, Michael       |
| Bailey, Robert   | Jones, Sylvia     | Runciman, Robert W. |
| Barrett, Toby    | Klees, Frank      | Savoline, Joyce     |
| Bisson, Gilles   | MacLeod, Lisa     | Shurman, Peter      |
| Chudleigh, Ted   | Marchese, Rosario | Tabuns, Peter       |
| DiNovo, Cheri    | Martiniuk, Gerry  | Wilson, Jim         |
| Dunlop, Garfield | Miller, Norm      | Witmer, Elizabeth   |
| Hampton, Howard  | Miller, Paul      | Yakabuski, John     |
| Hardeman, Ernie  | Munro, Julia      |                     |
| Horwath, Andrea  | O'Toole, John     |                     |

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 56; the nays are 28.

**The Deputy Speaker (Mr. Bruce Crozier):** I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

*Third reading agreed to.*

**The Deputy Speaker (Mr. Bruce Crozier):** This House is recessed until 10:30 of the clock.

*The House recessed from 1022 to 1030.*

#### INTRODUCTION OF VISITORS

**Mr. Rick Johnson:** I have two guests; one has arrived so far. Mr. Paul Martin and M.J. Perry are in for meetings with me today, so I'd like to welcome them.

**Hon. Kathleen O. Wynne:** I'd like to introduce page Robyn Lin's aunt, who will be in the gallery today. Her name is Anne Chun. Welcome.

**Mr. John O'Toole:** Mr. Speaker, I'd like to introduce your brother and your mother and welcome them here today.

**The Speaker (Hon. Steve Peters):** I can trump that after.

**Hon. Peter Fonseca:** I'd like to introduce the students of T.L. Kennedy school, who are with us here today.

**The Speaker (Hon. Steve Peters):** I think you should point out that T.L. Kennedy's grandson is sitting here. He's the member from Halton.

**Hon. John Wilkinson:** I ask all members to welcome both Len Crispino from the Ontario Chamber of Commerce and Karen Renkema from the Ontario Road Builders' Association, who are visiting us in the Legislature today.

**Hon. Deborah Matthews:** I know that all members of the Legislature will join me in a very warm welcome to the members of the Salvation Army who are joining us here.

**Mr. Yasir Naqvi:** I just want to echo the Minister of Health's comments and actually name the members who are here from the Salvation Army. Please welcome Captain Brenda Murray, Captain John Murray, Colonel Floyd Tidd, Colonel Lee Graves and Colonel Ray Molton. Welcome to Queen's Park.

**The Speaker (Hon. Steve Peters):** On behalf of the member from Niagara Falls and page Alana Fansolato, we'd like to welcome her father, Wayne, to the members' gallery today.

Seated in the Speaker's gallery, I'd like to welcome my mother, Joan Peters, my brother, Joe, and a family friend from St. Thomas, Carole Watson. Welcome all.

**Mr. Frank Klees:** On behalf of the Progressive Conservative caucus, I too want to welcome the members of the Salvation Army here and to also express our appreciation for the good work that the Salvation Army does throughout the year but especially at this time of year through the kettle drive. We encourage people across the province to support the kettle drive this year.

#### COMMITTEE WITNESSES

**The Speaker (Hon. Steve Peters):** On Thursday, November 19, the member for Oshawa raised a point of order with respect to the authority of the Standing Committee on Public Accounts to summon witnesses. To the extent that his point of order touched on specific proceedings of the Standing Committee on Public Accounts, I will say that it is not the place of the Speaker to become involved.

The committee, like every committee of the House, has the ability to regulate its own affairs. Where it needs the guidance or intervention of the House, or when there is a problem it cannot solve itself, the proper course is for the committee to make a report to the House setting out the matter at issue in the committee. This not having occurred, I can only assume that within the scope of its authority, the committee has been successfully dealing with its own affairs to the satisfaction of its members.

To answer the member's direct and specific question, though, I can confirm that committees do have the authority to summon witnesses of their choosing. Standing order 110(b) states that "except when the House otherwise orders, each committee shall have the power to send for persons, papers and things."

This is a power delegated from the House which retains the authority to compel attendance or production. There are therefore some practical and contextual limitations on a committee's authority, but in general, committees may invite any witness they consider to be in a position to offer testimony that will be helpful to the committee in its inquiries.

I thank the honourable member for his point of order.

## VOTING

**The Speaker (Hon. Steve Peters):** On December 2, 2009, the member for Carleton–Mississippi Mills, Mr. Sterling, rose on a point of order concerning his inability to vote from his assigned seat during recorded divisions held on December 1. The House will recall that the member had not been able to vote from his assigned seat because a named member had refused to withdraw from the chamber on November 30. That member, along with another named member, had been suspended from the service of the House for the remainder of the session when the Sergeant-at-Arms indicated that force was necessary to compel obedience. However, those suspended members were still in the chamber on December 1, and one of them was occupying the seat assigned to the member for Carleton–Mississippi Mills during a recorded division on the motion for second reading of Bill 175 and during other divisions that morning.

Members will recall that in the immediate aftermath of the first division, I responded to points of order and points of privilege on what had happened. Later, in response to the concerns that certain members of the official opposition would be unable to vote from their assigned seats because the suspended members were occupying them, I indicated to the member for Carleton–Mississippi Mills that he could assume the unoccupied seat of another member. I made similar accommodation with respect to the member from Simcoe–Grey, Mr. Wilson, whose seat was being occupied by another suspended member.

The member for Carleton–Mississippi Mills now asks why I ignored standing orders 20 and 28 in making this accommodation. Standing order 20 requires members to “remain in their places and refrain from interrupting the Speaker” in certain situations and to not interrupt the member who has floor. Standing order 28 deals with the procedure for taking divisions; in particular, standing order 28(a) states it requires “five members standing in their places” to force a division after a voice vote, and standing order 28(c) states that a member wishing to vote “shall rise and record his or her vote.”

Let me say first that neither standing order 20 nor standing order 28 specifically indicate that a member wishing to vote in a division must do so from an assigned seat, and so I did not ignore any standing order when I acted as I did. Nevertheless, as members well know, it is our settled practice that members wishing to vote in a division do so from their assigned seats. Speakers of this House have long upheld the practice that members must vote from their assigned places in the chamber, and so have I. In point of fact, though, seating assignments of all members in the assembly are ultimately made by the Speaker. In practice, of course, the Speaker assigns blocks of seats, then generally acquiesces in the recommendations of the various recognized parties on their seating wishes for their individual members. But as I said, ultimately it is the Speaker’s decision, as demonstrated by the fact that the Speaker takes full responsibility for assigning the seats of any independent members. That being the case, when I indicated that the member from

Carleton–Mississippi Mills could vote from another seat, I was in effect assigning him that seat, if only temporarily.

Additionally, though, one has to look at the issue in the context of the nature and the extent of the disorder that erupted last Monday. It cannot but have been apparent to any observer in the chamber at the time of the naming of the member of Bruce–Grey–Owen Sound that he was acting in concert with a plan understood by his caucus and participated in by the caucus as a collective. Indeed, the member for Carleton–Mississippi Mills is one of several members who put themselves between the named member and the Sergeant-at-Arms, preventing the removal of the named member from the Legislative chamber.

As business carried on and the House entered into a recorded vote on second reading of Bill 175, the member for Carleton–Mississippi Mills was seated in a place other than his assigned seat. The member did not at that point complain either that he wished to vote but he might not be able to occupy because another member was in his seat or that the member occupying the seat refused to leave when asked to do so. The confusion that ensued and the basis of the complaint now made by the member for Carleton–Mississippi Mills was, to a significant extent, by his own making, and as I said at the time, “you cannot contrive a breach of your own privileges.”

**1040**

In a subsequent vote, however, the member for Carleton–Mississippi Mills and the member for Simcoe–Grey were again both prevented from being in their seats because they were occupied by two previously named members. At this time, the members did draw the situation to my attention before the roll call commenced. It was at this point that I made the accommodation I referred to previously.

I regret that my approach inconvenienced the members who sought to vote in their regular seats, but I hope they can appreciate that shortly after the consequences of mischief being perpetrated by the suspended members became clear to everyone in the House, I was able to ensure members wishing to vote were able to do so. I stand by my approach in dealing with the issue.

In looking into how other Speakers have handled challenging situations in this chamber, I came across Speaker Stockwell’s ruling at page 538 of the Journals for April 6, 1997. This is what Speaker Stockwell said:

“I believe that a modern definition of Speaker requires that decisions are taken which are also in the best interests of the institution of Parliament. On occasion, in particular when faced with extraordinary circumstances, Speakers may have to intervene in a way which seeks to enable the parliamentary process to accomplish the business at hand....

“In this House, Speaker Warner, quoting Speaker Fraser, said on May 27, 1991, that the Speaker does have a latitude to act in exceptional instances.”

I agree with Speaker Stockwell’s statement. The statement was made in 1997 in the course of the longest

voting process in the history of this assembly. A few months later, the House adopted standing order changes that strengthened the hand of the Speaker and of the House in dealing with disorder and progress of assembly business. Those changes appear to have been informed by a desire by the House to ensure that disorder does not trump the democratic rights of members.

I've already provided my thoughts to the House on the events of last week, and I will repeat one part of those comments: "Respect is a mutual obligation. There are boundaries to which members must also adhere and standards of conduct that must be upheld. This is not about the Chair's discretion or the opinion of an individual Speaker. It is about failing to show due deference to this institution and the traditions of civil debate; it is about failing to show due deference to the privileges of fellow members of this Parliament, including members from all parties; and importantly, it's about failing to display an image of parliamentary conduct that the public would rightly regard as appropriate."

In closing, I thank the member for Carleton–Mississippi Mills for raising his point of order. His concerns do not raise a matter of order, but they have given me the opportunity to reflect on the events of last week and how such events might be dealt with in the future.

**Mr. Norman W. Sterling:** On a point of order, Mr. Speaker: When this particular matter took place, I declared very clearly to you and to the table—in fact, the table called my name and recognized my vote and then withdrew my right to vote when I was seated at another bench. Your ruling today has indicated that you do have the power to recognize my vote, but you chose not to.

I refer you to sections 87, 49, and 18 of the Constitution Act of our country. The Constitution guarantees me the right to vote in this Legislature, and you and the Legislature have denied me that opportunity. I call into question the passing of that motion on Bill 175 and the subsequent process that has taken place with regard to Bill 175.

Mr. Speaker, you leave me no other alternative but to seek legal counsel on this particular matter to determine whether Bill 175 has legally passed this legislative process. I have been denied and my constituents have been denied my vote in this place on that particular bill, when I clearly expressed to you and to the clerks' table that I wanted to vote on behalf of my constituents.

I would add that the member for Simcoe–Grey, Mr. Wilson, also wanted to vote on that occasion and was denied the opportunity. As well, there were about 10 or 12 other members of my caucus who were standing in their place at that time and wanted to vote on that particular motion. They were denied that opportunity, as you ignored them standing in their place and voting.

In my view, all of these members, including myself and the member for Simcoe–Grey, were denied the right to represent their constituents as guaranteed in the Constitution Act of Canada. The standing orders don't matter with regard to those particular rights. The Legislative Assembly Act does not matter with regard to those rights.

It is the Constitution of our country which guarantees members of our Parliament, the House of Commons and each Legislature the right to represent their people in their Legislature or the House of Commons. Mr. Speaker, you do not have the right, nor do the standing orders have the right, nor does the Legislative Assembly have the right, to deny that.

**The Speaker (Hon. Steve Peters):** I want to thank the honourable member for his point of privilege and his comments. If the honourable member believes that he has been denied his constitutional right, I would encourage him to pursue the course that he has indicated to the House that he is going to choose to do.

#### WEARING OF MITTENS

**Hon. Monique M. Smith:** And now for something completely different: I believe we have unanimous consent for all members to wear Olympic mittens in the House this morning to show support for the Olympic and Paralympic Winter Games in Vancouver in 2010. We're very excited to be welcoming the torch this Friday in Hawkesbury.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed.

I would seek the co-operation of our broadcast services to take a wide-angle view, and I'd ask all members to stand up and give a wave in support of our Olympic athletes. Wave to any one of the cameras. I'm sure they're helping us. Go, Canada, go.

**Interjections:** Go, Canada.

**The Speaker (Hon. Steve Peters):** I thank the honourable members for their participation. I would just like to take this opportunity to thank the member from Glengarry–Prescott–Russell, Jean-Marc Lalonde. Unfortunately we couldn't participate in another adventure that Mr. Lalonde would have liked to do. I didn't realize that in 1988 he actually stole the Olympic flame and—

**Interjections:** Borrowed, borrowed.

**The Speaker (Hon. Steve Peters):** Pardon me, borrowed the Olympic flame. The Canadian Olympic committee caught wind of that and remembered that from 21 years ago. They were very concerned that the honourable member may try and borrow the flame again.

I would just say as well that because of the inclement weather, we are going to take a photograph on the grand staircase. As well, the Olympic torch is going to be here at the Legislature on December 18 at 6 a.m. Any members who are around, please come and wish our athletes all the best.

The member of Glengarry–Prescott–Russell on a point of order.

**Mr. Jean-Marc Lalonde:** I would just like to say that the flame will be arriving at the eastern gateway to Ontario, in Hawkesbury, on Friday at 11 o'clock.

*Applause.*

**The Speaker (Hon. Steve Peters):** The member from Nepean on a point of order.

**Ms. Lisa MacLeod:** I'm very proud to say the flame will be arriving in the nation's capital, the city of Ottawa,

at 10:16 on Saturday morning, and I'll be there with hopefully all of the Ottawa members.

Oh, no clapping for Ottawa?

*Applause.*

1050

## ORAL QUESTIONS

### ONTARIO ECONOMY

**Mr. Tim Hudak:** A question for the Acting Premier: After six years in office, Dalton McGuinty's government has grown arrogant and increasingly out of touch with Ontario's hard-working families. Let's take a look at the economic record as this session comes to a close: \$65 billion in new debt; a record deficit, which means we're spending \$2 million more every hour than we take in in revenue, even including your greedy HST tax grab; bond companies have lowered our credit rating; and a net loss of 100,000 jobs in one year alone.

Minister, did you think Ontario families wouldn't notice? Why do you think you can get away with this dismal performance?

**Hon. Dwight Duncan:** I think Ontarians recognize that the world has gone through a tremendous dislocation and downturn in the last year. Whether you're looking at the United States, whether you're looking at Great Britain, whether you're looking at our sister provinces, there has been an enormous upheaval; there has been a devastating loss of jobs in many communities. That's why this government moved forward with a plan to create 600,000 jobs. That's why we took the steps we have taken over the course of the last year.

It is our view and it is the view of many economists that growth will be slow over the next year but that we will be back to growth, and that makes it still more important for all of us in government and opposition to say what they would do to help get Ontario through this terribly difficult time. We're going to continue to work with Ontario families and communities to create jobs and—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Tim Hudak:** The minister knows full well that your economic performance is the worst in Canada and you've turned Ontario into a have-not province, receiving welfare payments from the federal government for the first time in our history. Minister, do you really think you can get away with this?

**Hon. Dwight Duncan:** We, as a province, are putting in place the steps to help us get through this extremely difficult time in Ontario's history—indeed, in North America's history. I see yesterday that the American government announced the need for still more stimulus.

There is no question that this has been a downturn unlike anything we've seen since the Great Depression. Far too many people have lost their jobs; far too many

families are struggling. This government has chosen a path and laid out a plan to create some 600,000 jobs. There is more work to do. Ontario, in our view, is the best province in the greatest country in the world. We are coming through this. We're laying out a plan to help get through it, and when we are, this province will be bigger, it will be better and it will be stronger.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** I'm proud of our province, Minister, but you have laid our province low. You have cost us 300,000 well-paying manufacturing jobs, and you abandoned northern Ontario years ago. Did you really think Ontario families would not notice? What makes you think you can get away with this performance?

**Hon. Dwight Duncan:** I think Ontarians see through that phony rhetoric. I think they know that we have seen an enormous upheaval in the world economy. I think they understand. If you look at the notes in the budget, you'll see how we have done relative to comparable jurisdictions. There is no question that far too many people have lost their jobs, not just in Ontario but around North America. This party and Premier McGuinty have laid out a plan.

That member and his party are about stunts, they're about rhetoric, they're about disorder in the House—no plan, no future. And when they do talk about things, they imply cutting benefits for injured workers, they imply closing schools, they imply taking money from municipalities, just like they did from 1995 till they lost office in 2003.

We have a plan. It's about jobs—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

### GOVERNMENT'S RECORD

**Mr. Tim Hudak:** Back to the Deputy Premier: After six years in office, the rot of mismanagement and abuse has set in deep right across Dalton McGuinty's government. What have we seen since the summer of scandal? A billion-dollar eHealth boondoggle that saw Liberal-friendly consultants get rich and Ontario families get ripped off. We saw another billion dollars in wasted funds from welfare abuse, fraud and overpayments. We saw sweetheart deals for Liberal friends and insiders like Jason Grier, Karli Farrow, Don Guy and your favourite, the Courtyard Group. And whenever they got in trouble, they blamed the bureaucrats and threw Liberal friends a lifeline.

I ask the minister: Do you not think Ontario families notice? What makes you think you can get away with this?

**Hon. Dwight Duncan:** Well, as we wrap up this session, we've laid out a plan to create 600,000 jobs. They've done nothing. Tax cuts for all Ontario families will come into place on January 1. That member and his party voted against it.

Premier McGuinty, through dint of effort, brought the Pan Am Games to Toronto. Student achievement legis-



lation, putting students first, has been brought forward by my colleague the Minister of Education. HealthForceOntario is expanding the scope of practice of pharmacists and others. These are important moves forward. My colleague the Minister of the Environment is in Copenhagen today. We've brought forward cap-and-trade legislation.

The only thing I remember from that party this session is a couple of renegade members seizing control of the once great Conservative Party of Ontario.

This is a record of achievement, one we will stand on and one that the people of Ontario—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Tim Hudak:** Do you know what, Minister? We don't believe you, and Ontario families don't believe you anymore. You said sole-sourced contracts would stop, but they didn't. You had one rule for Liberal friends and one rule for everyone else. Minister, do you really think you can get away with this?

**Hon. Dwight Duncan:** It is important for all members of this Legislature and all the parties to say what they would do to help those Ontarians who have lost their jobs, to help communities come through this downturn, to help create new jobs and new investment. It's not enough to occupy desks in the Legislature and force the closure of debate. It's not enough to rant and rave and not even attend committee sessions when you're supposed to.

This government has laid out a plan. It is a challenging plan, but I am confident, and the Premier is confident. Ontarians always rise to the challenge, and when we get through this, because of our plans, and more importantly, because of the hard work of Ontarians, we will have a more competitive economy, more jobs, better incomes, better health care and better education. That's what this government and that's what this party are about.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Mr. Tim Hudak:** No wonder this has been called Canada's worst government. We have seen a culture of entitlement set in deep right across that government, ministry by ministry. Ontario families see a government, too distracted by scandal after scandal, that has lost sight of the basics, a government more interested in securing sweetheart deals for its Liberal friends than fighting for hard-working Ontario families across this province.

I ask the minister: Can taxpayers reach any other conclusion than that this is a government that is out of gas, out of ideas and dramatically out of touch with hard-working Ontario families?

**Hon. Dwight Duncan:** You know, the Leader of the Opposition likes to quote—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Minister?

**Hon. Dwight Duncan:** The Leader of the Opposition likes to quote a journalist who also believes in privatized health care. Is that your view as well? He likes to quote a journalist who believes in privatizing education. Is that your agenda? He likes to quote an economist who doesn't believe global warming is real. Is that your agenda as

well? The Leader of the Opposition has no plan. He has no idea where to take this province.

Premier McGuinty has laid out a plan, a principle-based plan, that will improve incomes, improve job growth and help rebuild this province as we come out of the worst global downturn in many years. Premier McGuinty has laid out the plan. Mr. Hudak and his renegade band who seized the Legislature offer no ideas, no hope, no future. They're about the past. They're about privatization of health care and education. We fundamentally disagree with them, and I believe—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

1100

## TAXATION

**Ms. Andrea Horwath:** My question is to the Acting Premier. Over the past month, the McGuinty Liberals have arrogantly used their majority to silence the voices of people in Windsor, Kenora, Kingston, London, Moose Factory and Fort Erie. This morning, the McGuinty Liberals rammed through their 8% sales tax on gasoline and home heating.

My question is this: Why did the McGuinty Liberals ignore Ontarians, the vast majority of whom are against this tax?

**Hon. Dwight Duncan:** In the nine months since this government brought forward the HST legislation, we have had more than 40 hours of debate in this chamber. We have had committee hearings on the bill. In fact, the opposition parties couldn't even fill all their slots in that committee. We have conducted hundreds of public sessions and hundreds of other meetings. Indeed, we've made significant changes to the policy as a result of representations from a whole variety of groups. The housing industry is one, and I think probably the largest example of that.

This is what is most important: to create jobs in Ontario, some 600,000 jobs. This party, this government, is about creating jobs. It's about building a better future. We reject the status quo. We reject the NDP's "just pretend that nothing's wrong." We're taking steps to build a brighter future for Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** What's wrong is a government that doesn't listen to the people who put them here. That's what is wrong. The McGuinty Liberals have pulled out all the stops to muzzle the concerns of Ontario families. I think everybody around this chamber would agree.

In a desperate effort to ram this unfair tax scheme through the Legislature, this government refused public hearings in Thunder Bay, London, Sudbury, Windsor and elsewhere. This government limited debate and pulled stunts in committee.

The question is this: Is ruthless arrogance what Ontario families should expect from their government over the next two years?

**Hon. Dwight Duncan:** Mr. Speaker, she's wrong, and the leader of the third party just doesn't get it.

We have had hearings across this province—meetings, public sessions, question and answers, media sessions. The fact that she's here today asking questions is another indication that indeed this government is available, it's accountable and it is present.

I noticed that the president of the Ontario Chamber of Commerce was here today, and a number of other supporters. Why are you ignoring those 60,000 small businesses? Why are you ignoring Hugh Mackenzie? Why won't you listen to your own economist, who has advised you clearly and unequivocally about the benefits of this policy? Why are you voting against low-income Ontarians who are looking for a hand up, who need our assistance in these difficult times? Why are you ignoring the unemployed, I say to the leader of the third party? Why are you ignoring unemployed forest workers? Why are you ignoring the manufacturing sector? No plan, no future—

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** As I said in my remarks earlier today, the Ontario Real Estate Association, chiefs of all of the First Nations of this province, hundreds of thousands of people across the province who have signed our petition—these are the people we are listening to. Unlike the Liberals and the Conservatives in Ottawa, New Democrats are on the side of the people in the real world, where an 8% tax on gas and home heating makes life less affordable, where making daily basics more expensive during a deep recession is actually a bad idea, and where a new 8% tax dampens consumer confidence and kills jobs. That's the real world. That's who we're listening to.

Across the country, in fact, politicians are backing away from this unfair scheme. Has the government grown so arrogant that they are ready to ignore three quarters of the population, who are saying no to the HST?

**Hon. Dwight Duncan:** You know, there was a time when the NDP stood on principle; now it's "Never Done Pandering." You know what? We have had all kinds of deputations in support of this from prominent New Democrats, whether you're talking about Buzz Hargrove or Hugh Mackenzie or Jim Stanford or others. Their own Fair Tax Commission recommended this policy.

Sir, these are difficult times and these are challenging decisions. Governments have to stand up for jobs. This party is standing up for the unemployed auto worker in Windsor; it's standing up for the unemployed forestry worker in Thunder Bay; it is standing up for the unemployed person in eastern Ontario. It's about jobs; it's about better incomes and a brighter future.

This government, this party, has a plan. That leader and her party have no plan. We're strong and we're going to be stronger when we're through all of this.

#### TAXATION

**Ms. Andrea Horwath:** My next question is also to the Acting Premier. In July 2008 the Acting Premier said,

"We all share an important responsibility to conserve energy, which is why our government is helping people make choices that will benefit their health and the environment while saving people money." But under his unfair tax scheme, the sales tax exemption on energy-efficient appliances and bicycles will end. Why is this government making life more expensive for people who choose to do the environmentally responsible thing?

**Hon. Dwight Duncan:** The leader of the third party and her party really shouldn't be talking about energy conservation. They voted against removing the price cap, against the advice of your environment critic, who was very passionate about that before he got here. They voted against smart meters and putting them into Ontario homes. You voted against that. You stood against that. They continue to not want to deal with the challenging problems ahead.

This tax plan that we've put forward will not only increase investment in energy efficiency; it will help the overall economy produce jobs. The member voted against the Green Energy Act.

This week, the Premier is selling more than \$200 million worth of contracts in India with our green technology, to help those countries. This province has led the way in energy conservation in spite of her objections and we will continue to do that, creating jobs in the process.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** I guess the finance minister forgot to read the Environmental Commissioner's report yesterday, which was a scathing condemnation of your lack of action on greenhouse gas emissions in this province.

More affordable green appliances and bicycles are not the silver bullet, for sure, in the fight against climate change, but they absolutely help. The Acting Premier is not the only one on record in support of these exemptions. The Premier, in fact, mused that he might make the exemptions permanent. He said, "We should ... as a society, begin to say that these are the kinds of things we want to encourage you to buy on an ongoing basis, and they would always be the subject of preferential treatment when it comes to taxes."

My question is this: Has the Acting Premier spent a little too much time around Mr. Flaherty to forget about the importance of actual action on climate change?

**Hon. Dwight Duncan:** The tax package we put together will encourage investment in new technologies. It will encourage investment in a variety of fields. The Green Energy Act will not only encourage investments; it will create jobs overall.

Ontario is a leader. The Premier received yet another award, the other evening, from the solar power industry on behalf of this government.

I say to the member opposite that indeed difficult decisions have to be made to create jobs and to spur the growth in the green industries. We have taken those steps. We're moving forward on a variety of fronts, and I don't believe that any government has a better record on the green economy than this one. Our Green Energy Act

will create investment, create jobs, and make this a better place to live for all Ontarians.

**The Speaker (Hon. Steve Peters):** Final supplementary.

**Ms. Andrea Horwath:** The arrogance of this government is absolutely breathtaking. The Premier promises to make it easier to make environmental choices and then he quietly raises the taxes back up again. It's the same story we've seen all week: stifling debate, shutting down hearings and ignoring the public. Has this government grown so arrogant that they think they can fool the people who sent them here?

**Hon. Dwight Duncan:** I was pleased earlier this fall when Canadian Solar moved its headquarters to Kitchener, where it currently makes solar modules at plants in China—it moved them here. Why? Because of Ontario's commitment to green energy. By the way, that is 500 new direct jobs in Ontario. You voted against the act that would make that happen.

There are, no doubt, going to be difficult choices ahead as we come out of this downturn in the economy. No one should underestimate this government's commitment to green energy. That member and her party voted against the Green Energy Act. They spoke against our historic transit investments. They don't like our cap-and-trade legislation. While I admit there's much to do, this government, the McGuinty government, is committed to taking those steps to make this a better and healthier place to live.

1110

## TAXATION

**Mr. Tim Hudak:** Back to the Acting Premier: After six years, the arrogant Dalton McGuinty government would rather listen to elite insiders and Liberal friends than hard-working Ontario families who live outside the Queen's Park bubble. Let's look at their record when it comes to this HST tax grab. During the campaign, you said you wouldn't increase taxes, but now you bring in a massive sales tax grab. It is a greedy tax hike on everything from gas for your car, heat for your home, and everyday services. They held no consultations outside of Toronto with Ontario families unless they first made a contribution to a Liberal riding association, and now you want to lock us into a bad deal until 2015, with a \$4.3-billion poison pill to get out of it.

I ask the minister: With your greedy HST tax grab, do you really think that you're going to get away with it?

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. The member from Davenport. The member from Renfrew.

Minister?

**Hon. Dwight Duncan:** When Len Crispino, the chair of the Ontario Chamber of Commerce, said, "It's a very bold step ... it's smart for the time ... because it's going to take the shackles off business," we agreed with him. I wouldn't insult the intelligence of people who support

this initiative, because there are many of them. When Michael Oliphant of the Daily Bread Food Bank said, "The sales tax credit is a sensible, forward-looking way to deal with the single sales tax, and could become an important long-term piece of the economic security puzzle for the poor people in the future," we agreed with him. When Gail Nyberg of the Daily Bread Food Bank said the same thing, we agreed with her.

This is no doubt a contentious issue. We have had the opportunity to hear from hundreds of Ontarians. We're moving forward with a plan to create jobs and to make this province bigger, better and stronger in the future.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Tim Hudak:** Now, Minister Gerretsen is saying that you're looking at toll roads, too. Well, Minister, Ontario families have noticed. They're not going to let you get away with this performance. They see a tired, arrogant, out-of-touch Dalton McGuinty government that cares more about Liberal insiders than hard-working Ontario families. And they know that you're ramming through this greedy HST tax grab to fuel more of your billion-dollar boondoggles and shower your Liberal friends.

Ontario families are tired of paying more to get less and they're tired of your greedy tax grab adding more to the burden. You're not going to get away with this. Ontario families are seeing through it. They know they cannot afford this government, and they want to see change that starts at the top.

**Hon. Dwight Duncan:** You know, I think Ontarians are actually looking for some clarity from the Leader of the Opposition. I'd just like to take him through a few quotes that have occurred over the last few months. This is a quote: "To be clear, I believe that there's little sense in allowing two separate governments to apply two separate sets of taxes and policies and collect two separate groups of sales tax." That was Tim Hudak on April 23 of this year. Then listen to this: "There's no doubt that some—

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. Minister?

**Hon. Dwight Duncan:** Here's another quote: "There's no doubt that some businesses, particularly the manufacturing side, will be happy because you take away the tax on business inputs like machinery and such, and obviously we want to see our business sector succeed." That's Tim Hudak.

Another quote: "No one can argue with wanting a more simplified tax process. I think we all support that." That's Frank Klees. And then, "I think, in theory, our party is supportive of harmonization."

**Hon. Gerry Phillips:** Who was that?

**Hon. Dwight Duncan:** Bob Runciman. That party flips, flops and has no plan and no future. This party is about jobs—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## DRIVER EXAMINATION CENTRES

**Mr. Peter Tabuns:** The question is for the Minister of Transportation. As of February 23, 2010, the government will be in a position to extend the DriveTest contract with Serco for two years and give notice that it can enter into negotiations for another 10-year contract. Contracting out driver testing to Serco has been a disaster from day one and has led directly to the labour conflict that has inconvenienced hundreds of thousands of Ontarians. Will the minister stand and make a commitment that there will be no renewal and no extension of the contract with Serco?

**Hon. James J. Bradley:** I don't think the member, as a member of the New Democratic Party, would want me to say anything at this point in time that would interfere in the collective bargaining process, because I know the great reverence that the NDP has for the collective bargaining process, despite the fact that when in power, the New Democratic Party government tore up every public sector collective agreement in the province and forced significant changes upon labour and employees in the province at that time. But I know that today the New Democratic Party would not want me to say anything in the House that would jeopardize the collective bargaining process.

When the Conservative government established Serco and privatized that portion of the Ministry of Transportation, they believed, probably, that they were doing the right thing.

I will be interested in your supplementary.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Peter Tabuns:** Well, I have to say that the minister is very good at putting red herrings on the table.

When we talked about the 407 toll road, he said "Oh, can't do anything. The contract is signed for 99 years, ironclad. I can't do anything to protect the people of Ontario." Well, he has the option now. In February of this coming year, he will be able to make sure that there's no extension and no renewal. Is he actually going to take on that company and restore public ownership of driver testing in this province?

**Hon. James J. Bradley:** As the member would be aware—because I know he has researched this thoroughly—the contract extends from 2003 to 2013. To abrogate the contract in the middle of the contract would cost the taxpayers of Ontario millions upon millions of dollars. I know that rather than have those go to legal fees, you would want to ensure that it would go to appropriate programs to assist the people of Ontario.

This government was not responsible—some of the people interjecting are responsible—for establishing this particular contract. Our ministry and our government evaluates all contracts that are there. We evaluate how they're operating, and we make a decision at the appropriate time, taking into consideration all of the factors that are brought to our attention by anybody and everybody in the province.

## GREEN POWER GENERATION

**Ms. Leeanna Pendergast:** My question is for the Minister of Energy and Infrastructure. Recently, Canadian Solar Inc., a Kitchener-based solar module developer, announced that it's planning to establish a 200-megawatt module manufacturing facility in Ontario. As we already heard from the Minister of Finance, the new facility is expected to create 500 new direct manufacturing jobs in Ontario, and this is tremendously important for my community and my riding.

On Friday, I'm meeting with Mr. Shawn Qu, the president and CEO of Canadian Solar Inc., who's here this week from China along with Mr. Milfred Hammerbacher, the president of Canadian Solar Solutions, which is the subsidiary of Canadian Solar Inc. It's going to be my pleasure to pass on the answer to this question: Minister, what are we doing to encourage business investment in Ontario? More importantly, what are we doing to retain these businesses?

**Hon. Gerry Phillips:** This question relates to an earlier one. I just say to the member from Kitchener-Conestoga and to the public that our Green Energy Act is unique in North America. It's regarded as leading-edge in terms of attracting new, renewable, clean energy. We are going to see a very substantial number of new solar, wind and hydro projects. That's going to be good for the environment, but a by-product will be a manufacturing business in Ontario that can supply that green energy. So you should be saying to your visitors, "Welcome to Ontario."

1120

Our Green Energy Act, with a very good what we call feed-in tariff—in other words, a guaranteed price for solar—is the sort of leading-edge legislation that will attract and keep an industry like the solar company that you're going to be seeing here in Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Leeanna Pendergast:** These investments truly are reassuring. They indicate that our plan to create a green economy and green jobs is working. This is good news for my constituents of Kitchener-Conestoga.

A number of people in my riding have expressed interest in the feed-in tariff program, especially around small wind and solar projects. Minister, I understand the application process for the feed-in tariff program opened in October. When will applicants hear if their projects have received a green light? This information will be helpful to me when I meet with Mr. Qu and Mr. Hammerbacher of Canadian Solar on Friday.

Minister, could you tell me please, how soon will these projects begin?

**Hon. Gerry Phillips:** Many members of the Legislature are probably quite interested in this, including my colleague from Toronto-Danforth. The first group of them—it closed on November 30. An organization called the Ontario Power Authority has responsibility for evaluating these and determining which ones are shovel-ready and whatnot.

I just say to all of us that the response was very good, I think better than most expected. I must say the Ontario Power Authority is reviewing these now. It is, I think, their hope that sometime next week they will be able to give us, the public, an update on the response and an indication to all of us when those projects will be heading into the ground. The Green Energy Act is leading-edge. This will be good—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### TRANSPORTATION INFRASTRUCTURE

**Mr. Frank Klees:** My question is to the Minister of Transportation. The Auditor General's report raised serious concerns about the ministry's ability to inspect our bridge infrastructure. On April 6 of this year, the minister was made aware in a meeting of serious safety concerns related to the deteriorating condition of a series of culverts underneath the TransCanada Highway just west of the city of Sudbury. On April 15, a letter signed by Gerard Mulhern, professional engineer, was delivered to the minister in follow-up to that meeting, urging the minister to engage an independent, professional engineer to visually inspect these culverts.

The letter clearly states: "Most of the culverts are at risk of immediate structural failure. This would subsequently result in a deadly failure of the pavement overhead."

To date, the minister has not responded to the letter. Will the minister agree today to order an independent investigation of these culverts?

**Hon. James J. Bradley:** I want to tell the member that the Ministry of Transportation does those kinds of inspections which he has described at this time. I also met with the people the member met with, and that's most appropriate as a critic in the field of transportation, and for me as minister. These people I met with were from the cement association. They believe that concrete should be used in all of these, and that's the business they happen to be in. They truly believe, in their heart of hearts, that the proposals they have are most beneficial. If you had talked to the people who are in the steel industry, who make steel culverts, they would make the case that what they provide is most appropriate. However, in answer to the member's question, we are always prepared to look carefully at all of these structures to ensure that indeed they meet the safety requirements of Ontario.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Frank Klees:** I am so surprised at the minister's response. This is not about lobbying for concrete or steel. It's about lobbying for safety.

A teenager died in the city of Greater Sudbury in May 2006 after she drove her car into a crater created after a steel culvert collapsed. An engineering report into the failure of that culvert by an independent consultant identified many of the same problems that currently exist with Highway 17 culverts that are being brought to the minister's attention.

I ask the minister this question: In light of these safety concerns, and if the question is simply to order an independent investigation of those culverts to ensure their integrity, why does the minister not agree to order that independent investigation and ensure the safety of motorists on that TransCanada Highway?

**Hon. James J. Bradley:** First of all, I hope the—and he wasn't, I'm sure. The member was mischaracterizing my response as a lobbying effort. I simply wanted to point out that the people I had met with were the same people he did, and they're people from the concrete association who genuinely believe in their heart of hearts that their product is better than those who would be in the steel industry, who believe that their product is better.

We engaged a structural engineering expert to perform an independent assessment of the ministry's bridge inspections, standards and practices, you'll notice from the auditor's report. I know, having been a Minister of Transportation, the member would have faith in the fact that members of the Ministry of Transportation are always concerned first and foremost about safety and are, on an ongoing basis, conducting appropriate inspections without necessarily having independent people there, but we don't object—

**The Speaker (Hon. Steve Peters):** Thank you. New question?

#### GOVERNMENT APPOINTMENTS

**Mr. Paul Miller:** My question is to the Minister of Tourism. Why has the minister quietly reappointed seven directors to the Niagara Parks Commission when the government-appointed KPMG review called for sweeping changes to the membership of that commission?

**Hon. Monique M. Smith:** I want to thank the member for his question. Yes, we did—I wouldn't say that we quietly reappointed—reappoint a number of commissioners for a one-year term in order to give us the flexibility to review the recommendations that were made in the report that we commissioned and we requested. We've given these people an opportunity to remain on the board for a year so we have the flexibility to look at the recommendations and see how we implement those recommendations around governance and board composition.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Paul Miller:** The KPMG report found an unusually high number of allegations of conflict of interest at the Niagara Parks Commission. It said the commissioners are treated "as if they are royalty" by employees and that "certain commissioners" have become involved in employee-related matters "which were clearly outside of their role." The public has lost confidence in the Niagara Parks Commission.

Will this minister immediately rescind these appointments and start a public process for appointing new board members to the Niagara Parks Commission?

**Hon. Monique M. Smith:** The ministry requested these two documents that the member is referring to and

this was in line with recommendations that were made by the Integrity Commissioner.

The reports noted that the agency's procurement policies and leasing practises are generally consistent with best practices. The ministry has provided the Niagara Parks Commission with the relevant findings and recommendations and we're working through with them how we can implement those findings and recommendations. Of course, the recommendations around governance and board structure are far-reaching and we want to look at them seriously. That's why we've given ourselves the opportunity, with the one-year appointments—these members are normally appointed for three years. We've appointed them for one year so that we have the time to implement the recommendations. We didn't want the Niagara Parks Commission to not be able to function with too few members on the board, so therefore it was important that we do these reappointments at this time as we look toward the future and improving the governance at the Niagara Parks Commission.

#### LANGUAGE TRAINING

**Mr. Reza Moridi:** This week communities across Ontario are celebrating ESL Week. Language training has helped individuals integrate better into schools, colleges, universities, businesses and everyday living. Whether it is providing a better medium to learn or providing folks with the language skills they require to better express health concerns to their family doctors, language training is a must. Students and adults should be able to focus on the future without any barriers holding them back. This includes language.

1130

On behalf of students, teachers and families across Ontario for whom language training plays such an important role, I ask the Minister of Citizenship and Immigration this: Will you ensure that newcomers to Ontario get all the support they require to be more proficient in English or French?

**Hon. Michael Chan:** I want to thank the honourable member from Richmond Hill for the question, and he's right: This week is ESL Week. As well, this week is a time to celebrate and also a time to say thank you to certain sector groups. I want to say thank you to the school boards, instructors and ESL students across Ontario for their participation in ESL training. Better language skills will lead to better communication, better learning, better education and better living in general for newcomers.

Our government understands that students and adult learners need support in order to succeed. We need to ensure that they have all the right tools to move forward. We know that when these students grow, their families grow. And when Ontario families grow, Ontario will grow.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Reza Moridi:** According to an editorial online at yorkregion.com, "study after study of new Canadians [indicates] that their level of success is directly propor-

portional to their command of the English language." Language remains a barrier in the lives of these immigrants. Apparently, York region has seen a 50% increase since 2001 in the number of residents who speak neither English nor French. The editorial calls for immediate action. Ordering food or paying their bills, many are facing barriers in their day-to-day lives.

I agree that the time for action is now. What will the minister do to ensure that the circumstances of these individuals take a turn in the right direction?

**Hon. Michael Chan:** Newcomers come from every corner of the world—from about 200 countries—and many of them do not speak English or French. This is why our government invested \$64 million this year in adult language training. This is about a 34% increase in funding since 2003. This investment supports more than 100,000 individuals to learn English or French, and 39 different school boards provide this important training in more than 300 different locations across the province.

We know that language training puts newcomers on the path to becoming more engaged in the social, political and economic life of Ontario. We are here to support newcomers, and we are here to help newcomers realize their goals.

#### TAXI OPERATORS

**Mrs. Joyce Savoline:** My question is to the Minister of Municipal Affairs and Housing.

On December 13, 2007, the city of Toronto passed a bylaw that would allow taxi cabs that drop a fare at the Toronto airport to also pick up passengers from the airport without any additional fee or penalty. Before the ink was even dry on this bylaw, the McGuinty Liberals arbitrarily changed the regulations without any consultation. This is becoming a trend in this House. This means taxi drivers wishing to pick up passengers at Toronto Pearson airport after dropping off a fare have to pay a \$10 fee. Taxi drivers are losing \$100 to \$200 weekly, but the same penalties were not imposed on limo drivers.

I ask the minister, is he going to reverse his decision that penalizes taxi drivers and create a level playing field?

**Hon. Jim Watson:** This question was asked in the House by the NDP several weeks ago, and I have the same answer I had delivered at that point. This is exactly maintaining the status quo that was in effect when her party sat on this side of the House. Nothing has changed.

What we're trying to do is to ensure that consumers have the right to have a cab or a sedan service at Toronto's international airport. So the matter has not changed. We did intervene. We took away the authority from the city of Toronto to do what it wanted to do because we wanted to maintain the status quo that would be fair to both cab owners and limousine owners in the greater Toronto area.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mrs. Joyce Savoline:** There's nothing fair about the status quo. Taxi drivers get penalized \$10 a fare just to pick up a fare at the airport. Limo drivers get taxed

nothing to pick up a fare in Toronto and go back to the airport. When the minister was questioned, he said it makes “common sense” to implement these regulations because of environmental and consumer choice reasons.

What is so distasteful to me was that these decisions were made without any consultation. Is it because limousine drivers contribute hundreds of thousands of dollars to the McGuinty Liberal Party coffers?

I ask the minister: Will he make the right decision today by agreeing to reverse the changes to the City of Toronto Act, or will he continue to be unfair and penalize taxi drivers?

**Hon. Jim Watson:** It’s a little rich hearing from the Conservative Party about lack of consultation with the municipal sector. Where was the consultation with the forced amalgamations imposed by the Conservative Party? Where was the consultation when all the down-loading took place?

*Interjections.*

**The Speaker (Hon. Steve Peters):** Stop the clock. Minister?

**Hon. Jim Watson:** There was absolutely no consultation and no respect shown to the municipal sector by the previous government.

Just a quick constitutional lesson for the honourable member for Burlington: The responsibility for the licensing of limousines is done by the federal government, because airports are a federal responsibility. I’d ask the honourable member: If she’d like a briefing on municipal affairs and housing matters, please come over to 777 Bay. We’d be delighted to bring her up to speed on both the Constitution and responsibility—

**The Speaker (Hon. Steve Peters):** New question.

#### HYDRO RATES

**Ms. Andrea Horwath:** My question is to the Acting Premier. Northern Ontario has a jobs crisis. The latest blow to the region: news that 700 good-paying jobs will be lost when Xstrata closes its Timmins copper and zinc smelting operation. To add insult to injury, the operations will be transferred to Quebec.

There is only one reason that these operations are moving to Quebec: affordable hydro. When will the McGuinty government finally listen to industry, to labour and to northern Ontario mayors and confront the high hydro rates that are driving jobs out of the north?

**Hon. Dwight Duncan:** To the Minister of Energy and Infrastructure.

**Hon. Gerry Phillips:** Just for the public and maybe for members of the Legislature, in terms of electricity prices for industry over the last five years, it has essentially been unchanged. That is a fact for industry. We are very competitive with our neighbours to the south.

We will always have a challenge in dealing with Quebec. Quebec is able to use long-established hydro-electric power that does give them somewhat of a competitive edge. What is the province of Ontario doing? As I say, for the last five years, industrial rates—all in,

everything in—essentially have stayed the same. Our electricity has, as I say, held relatively constant for that period of time.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Ms. Andrea Horwath:** The loss of 700 good-paying jobs is devastating news to a community that has already seen numerous job losses. Government doesn’t seem to even—it doesn’t faze them, the kind of devastation that this job loss means for that community. And the tragedy of it all is that it could have been prevented if this government had heeded the words and the call of New Democrats, of labour, of Ontario’s northern mayors and from industry itself. Everybody knows that the Association of Major Power Consumers in Ontario has been calling on this government to deal with the high hydro rates.

We need an affordable hydro rate for energy-intensive employers in this province. It’s the bottom line. How many more jobs like the ones at Xstrata are going to have to leave Ontario before this government takes some action and makes sure those jobs are kept here instead of shipped out to Quebec?

1140

**Hon. Gerry Phillips:** I am obviously extremely concerned about the decision they made. But again, I would say to the member that prices over the last five years are unchanged, and we are working hand-in-glove with major industry, investing in energy-efficient processes for them. And Xstrata had that opportunity as well.

I would just say—and I actually read Mr. Hampton’s book where he said, “I’m against special rates for industry.” I actually read the book. I kind of actually took him at his word in his book, but I think he’s changed his mind now.

Again, I would say that electricity rates are unchanged over five years. All of us regret very much the decision Xstrata has made, but we will continue to work with our industries to find ways to help them conserve electricity. The Ontario Power Authority is working hand-in-glove with our—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

#### FOREST INDUSTRY

**Mr. David Ramsay:** I have a question for the Minister of Northern Development, Mines and Forestry in regards to the forestry sector. As the minister knows well, we’ve been really struggling in northern Ontario with the forest industry: 260 of our towns are very directly dependent upon this industry for our livelihood, yet many people in my riding of Timiskaming–Cochrane, and in towns right across northern Ontario, far too often have heard of mills closing down, both sawmills and pulp mills. This industry is worth \$19 billion to this economy and it’s very important for the province of Ontario. I’d like to ask the minister what he’s been doing to help our struggling forest industry.

**Hon. Michael Gravelle:** I want to thank the member for all the hard work that he's done and the great advice that he's provided me, certainly being raised in Thunder Bay and representing that community since 1995.

I'm acutely aware of the vital role that forestry plays in northern Ontario. That's one of the reasons why we're so excited that a couple of weeks ago, we announced the launch of a provincial wood supply competition—11 million cubic metres of wood being put up for competition. Basically, we recognize that this is our opportunity to put Ontario's wood to work, and we are taking bold steps to create jobs. Ultimately, we'll generate well for Ontario by moving forward in this process. By putting our wood to work as quickly as possible, I think this competition will absolutely help to make that move forward.

We're doing this in tandem with our review of the forest tenure and pricing system as well. We felt we couldn't wait to have the results of that. But again, I appreciate the support the northern caucus gave me to move forward with the wood competition process.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. David Ramsay:** Thank you Minister. We very much appreciate you informing the House on this initiative. The competition is going to be creating opportunities for companies in northern Ontario and right across this province. In our forest sector, this is going to help with innovation and, I think, drive some new investment.

My constituents want to see this unused wood put to work so that we can put our families to work and our workers to work in our communities. I would have some questions on how we can make this eligible to new entrants into the industry so that we can see new products being manufactured and forestry start to transition into this century.

I'd like to ask specifically, Minister, how the eligibility requirements would be laid out.

**Hon. Michael Gravelle:** I appreciate the question. Certainly, we are looking to support new and innovative ventures to stimulate Ontario's economy, and we're going to build an industry of top performers. That includes existing and new performers. In fact, my colleague from Timmins–James Bay actually described this as a step in the right direction, and we appreciate that. We need to diversify; we need to build an industry of top performers so that Ontario's forest sector is better positioned, as well, to weather future economic storms.

This policy could include existing forest companies in Ontario with innovative proposals as well as new entrants. The crown wood for this competition is comprised of 7.7 million cubic metres of merchantable wood, or roundwood, and 3.3 million cubic metres of unmerchantable wood. It's a lot of wood, and that, of course, includes tops, branches and undersized wood as well.

We're committed to maintaining and growing an economically viable and environmentally sustainable forest industry. We're very excited—

**The Speaker (Hon. Steve Peters):** Thank you. New question.

## HERITAGE CONSERVATION

**Mr. Ted Arnott:** My question is for the Minister of Culture. Development proposals are now under way for a large-scale, multi-tower redevelopment project in Yorkville, just north of here. I'm informed that these new towers will appear twice as tall as the Legislative Assembly, depending on the vantage point.

Does the minister believe that the province of Ontario has an interest in preserving the landscape, context and appreciation of our Legislative Assembly building here at Queen's Park?

**Hon. M. Aileen Carroll:** Thank you for your question. Indeed we value highly Queen's Park. It is a very important heritage landmark in the province, as it symbolizes our parliamentary democracy. I know I speak for all members here at Queen's Park when I say that the home of our government since 1893 is a treasured and respected heritage resource in the province. Anyone who comes here is immediately struck by that.

A heritage plan, which is executed by the Legislative Assembly of Ontario, protects the site. You can see much of the restoration that is taking place. We indeed value our heritage, we have strength in our Heritage Act, and we are committed to preserving heritage inventory in the province.

**The Speaker (Hon. Steve Peters):** Supplementary?

**Mr. Ted Arnott:** I want to quote from a recent letter from the Honourable Lincoln Alexander, chairman of the Ontario Heritage Trust, one of the minister's own agencies: "Queen's Park is Ontario's most significant heritage landmark—the very symbol of our province. Conserving the landscape, context and appreciation of Queen's Park is undoubtedly an issue of provincial interest."

He's right. If the minister agrees, I wonder, why hasn't she done as Lincoln Alexander has recommended? Why hasn't she used her powers under the Ontario Heritage Act to list the Legislative Assembly buildings "as property of cultural heritage value or interest"? What is the minister doing to protect this treasured institution, and will she support the three-point plan Lincoln Alexander has outlined?

**Hon. M. Aileen Carroll:** I value highly the Ontario Heritage Trust, and I have nothing against the chair but indeed value very highly his role and his wisdom on many matters.

On the issue of protecting the visionary dimensions of a cultural site, there are a variety of views in the community among heritage experts as to how far or if at all one should commence in dealing with that dimension. Since the matter that I believe the member is referring to will be very soon in front of or is currently before the Ontario Municipal Board, I would not want to go too much further in that regard.

## SKILLS TRAINING

**Mr. Howard Hampton:** My question is for the Minister of Training, Colleges and Universities. The McGuinty Liberals continue to devastate the economy of



northern Ontario. In community after community, thousands of jobs are being destroyed, and people desperately need access to job retraining and skills development help. But the McGuinty Liberals, instead of helping the unemployed, are tightening the criteria on retraining programs like Second Career and making it more difficult for laid-off workers to access job retraining.

My question: Why are the McGuinty Liberals once again abandoning the workers of northwestern Ontario?

**Hon. John Milloy:** Nothing could be further from the truth. I remind the honourable member that in June 2008 we introduced the Second Career program and made a commitment to help 20,000 individuals over three years. The honourable member and his party voted against that program and stood here in the Legislature and mocked it on a daily basis.

Last September we reached, in only 17 months, 21,000 Ontarians who had benefited because of Second Career. And because of the leadership of the Premier and the Minister of Finance, we made a decision that we would continue the program, and recently announced more funding to allow 8,000 more Ontarians to access training.

As we speak, Employment Ontario offices are working with those who are interested in retraining, and we hope to welcome thousands more—

**The Speaker (Hon. Steve Peters):** Thank you. Supplementary?

**Mr. Howard Hampton:** The minister leaves the most important part out of the history: As of November 20, the McGuinty Liberals set new evaluation and eligibility criteria for Second Career and Ontario's skills development programs. In the 10 months previous to November 20, under the former criteria, the Northern Community Development Services in northwestern Ontario assisted 130 people in accessing skills development and job retraining. Now, under the more restrictive criteria introduced on November 20, only 12 of those 130 individuals would qualify for job retraining and skills development: nearly 120 out of 130 laid-off workers abandoned by the McGuinty Liberals.

My question: What are unemployed workers supposed to do when the need is greater than ever and you're cutting the very programs they need?

**Hon. John Milloy:** I know that the honourable member would never want to leave the impression in this Legislature that Second Career is the only program or service which is available to unemployed Ontarians.

Through Employment Ontario, we help 900,000 people every year in the province of Ontario. We made the decision to continue Second Career. We continued to accept applications on a limited basis. We brought out criteria recently which will allow 8,000 people to access training. The criteria are focused on those who would benefit from it the most. Other Ontarians who are also looking for employment services through Employment Ontario will have access to the support that they need to move on to a new career.

I am proud of our government's record in this regard. And the nerve, after they mocked Second Career—

**The Speaker (Hon. Steve Peters):** Thank you.

The member for Northumberland–Quinte West.

## VISITORS

**Mr. Lou Rinaldi:** Thank you for allowing me a couple of minutes. I want to introduce to the House a couple of people who just arrived after four hours of treacherous driving. I would like to introduce Zac Andrus, and his parents, Carla and Brian. The Andrus family is from Port Hope, in my riding of Northumberland–Quinte West.

I had the great pleasure recently to be part of the grand opening of a new, accessible playground in Port Hope: Zac's Dream playground. This remarkable young man had a dream that began as simply wanting an accessible swing in his neighbourhood park. Zac brought this idea to the local council and parks and recreation.

After listening to Zac's idea, they were so impressed they decided to take it a step further and build a fully accessible playground. To put it together, Zac's team came together. They raised over \$130,000.

## DEFERRED VOTES

### CONCURRENCE IN SUPPLY

**The Speaker (Hon. Steve Peters):** We have deferred votes on government orders 31 to 41, inclusive.

Call in the members. This is a five-minute bell.

*The division bells rang from 1153 to 1158.*

**The Speaker (Hon. Steve Peters):** Mr. Duguid has moved concurrence in supply for the Ministry of Economic Development. All those in favour will please rise one at a time and be recognized by the Clerk.

### Ayes

|                       |                     |                     |
|-----------------------|---------------------|---------------------|
| Aggelonitis, Sophia   | Duncan, Dwight      | Naqvi, Yasir        |
| Albanese, Laura       | Flynn, Kevin Daniel | Oraziotti, David    |
| Arthurs, Wayne        | Fonseca, Peter      | Pendergast, Leeanna |
| Bartolucci, Rick      | Gravelle, Michael   | Phillips, Gerry     |
| Bentley, Christopher  | Hoskins, Eric       | Ramal, Khalil       |
| Berardinetti, Lorenzo | Jaczek, Helena      | Ramsay, David       |
| Best, Margaret        | Johnson, Rick       | Rinaldi, Lou        |
| Bradley, James J.     | Kwinter, Monte      | Ruprecht, Tony      |
| Brotten, Laurel C.    | Leal, Jeff          | Sandals, Liz        |
| Cansfield, Donna H.   | Levac, Dave         | Sergio, Mario       |
| Caplan, David         | Mangat, Amrit       | Smith, Monique      |
| Carroll, Aileen       | Matthews, Deborah   | Sousa, Charles      |
| Chan, Michael         | Mauro, Bill         | Takhar, Harinder S. |
| Colle, Mike           | McMeekin, Ted       | Van Bommel, Maria   |
| Crozier, Bruce        | McNeely, Phil       | Watson, Jim         |
| Dickson, Joe          | Milloy, John        | Wilkinson, John     |
| Dombrowsky, Leona     | Mitchell, Carol     | Wynne, Kathleen O.  |
| Duguid, Brad          | Moridi, Reza        | Zimmer, David       |

**The Speaker (Hon. Steve Peters):** Opposed?

### Nays

|                    |                     |                     |
|--------------------|---------------------|---------------------|
| Arnott, Ted        | Jones, Sylvia       | Prue, Michael       |
| Bailey, Robert     | MacLeod, Lisa       | Runciman, Robert W. |
| Bisson, Gilles     | Marchese, Rosario   | Savoline, Joyce     |
| Chudleigh, Ted     | Martiniuk, Gerry    | Shurman, Peter      |
| DiNovo, Cheri      | Miller, Norm        | Sterling, Norman W. |
| Elliott, Christine | Miller, Paul        | Tabuns, Peter       |
| Hampton, Howard    | Munro, Julia        | Wilson, Jim         |
| Hardeman, Ernie    | O'Toole, John       | Witmer, Elizabeth   |
| Hudak, Tim         | Ouellette, Jerry J. | Yakubuski, John     |

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 54; the nays are 27.

**The Speaker (Hon. Steve Peters):** I declare the motion carried.

*Motion agreed to.*

#### VISITOR

**Mr. Gilles Bisson:** Point of order: With your indulgence, Speaker, I'd like to introduce Ruth Grier, former member from Etobicoke–Lakeshore.

**The Speaker (Hon. Steve Peters):** Welcome back to the Legislature.

#### CONCURRENCE IN SUPPLY

**The Speaker (Hon. Steve Peters):** Mr. Duguid has moved concurrence in supply for the Ministry of Energy and Infrastructure. All those in favour will rise one at a time and be recorded by the Clerk.

**Interjections:** Same vote.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Finance.

**Interjections:** Same vote.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Research and Innovation.

**Interjections:** Same vote.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Municipal Affairs and Housing.

**Interjections:** Same vote.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Health and Long-Term Care, including supplementaries.

**Interjections:** Same vote.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Small Business and Consumer Services.

**Interjection:** Same vote.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Community and Social Services.

**Interjection:** Same vote.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Labour.

**Interjection:** Same vote.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Tourism.

**Interjection:** Same vote.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed. I declare the motion carried.

Mr. Duguid has moved concurrence in supply for the Ministry of Aboriginal Affairs.

**Interjection:** Same vote.

**The Speaker (Hon. Steve Peters):** Agreed? Agreed. I declare the motion carried.

*Motions agreed to.*

There being no further business, this House stands recessed until 3 p.m. I would remind the members to join us on the staircase for the photograph with our red mittens.

*The House recessed from 1204 to 1500.*

#### INTRODUCTION OF VISITORS

**Mr. Khalil Ramal:** It's with great pleasure and honour that I introduce Her Excellency the Ambassador of Morocco, Nouzha Chekrouni; Mohamed Meskaoui, Minister Counsellor; and Mohamed Ait Bihi and Alami Mustapha.

**The Speaker (Hon. Steve Peters):** Welcome.

#### MEMBERS' STATEMENTS

##### MATTHEW MORISON

**Mr. John O'Toole:** It's my pleasure to welcome people, but also to wish and extend a Merry Christmas, Happy New Year and Happy Hanukkah to all the people, including my constituents in Durham.

My statement is as follows: I would like to pay tribute to one of my constituents, Matthew Morison, a Canadian Olympian competing in the men's parallel giant slalom this winter in the Olympics.

Matt is the son of Cathy and Paul Morison. With his older brother, Chance, he grew up riding horses and dirt bikes at his hobby farm near Burketon, Ontario. The family was among the first to take up snowboarding at the club I belong to, the Oshawa Ski Club. By the time Matt was 11, he was already beating senior men in races at the ski club.

In his first year on the World Cup circuit, Matt reached the podium three times, and won the parallel giant slalom event at the World Junior Championships. In the last three seasons, he has placed in the top 10 overall in World Cup standings for parallel giant slalom.

Matt Morison is an outstanding Ontarian and an outstanding Olympian, and I know that all of Durham riding will be cheering for Matt this February at the Olympics. Go, Matt, go.

## KETTLEBY FAIR

**Ms. Helena Jaczek:** The Kettleby Fair, which took place this fall in my riding of Oak Ridges–Markham, is one of our well-known autumn traditions. Kettleby is a historic rural settlement, established as a mill town in the 1840s. Today the flour mill is gone, and Kettleby remains a tiny hamlet of only 130 residents, nestled between two valleys of the looping Kettleby Creek.

The township of King supports the celebration with financial assistance, and local residents manage it as volunteers.

It is my pleasure to congratulate the master of ceremonies, Don Fenn, and all the energetic volunteers, such as Gary Vogan, Elaine Kitteridge, Andrea Loepky and Joanne Duclos—I only have time to name a few—who created a truly green event by using environmentally friendly materials.

We enjoyed all-day entertainment, including interactive children's entertainers, strolling jugglers, clowns, morris folk dancers and easy-listening singers.

The Kettleby Fair attracted young and old. It encouraged local professional photographers, singers and guitarists to demonstrate their skills and talents. Producers of honey, ciders, chutneys, baked goods and handmade crafts treated the guests to delicious locally grown food and offered unusual souvenirs.

I purchased a number of perennial plants for my garden and am already looking forward to attending this celebration next year.

## SEASON'S GREETINGS

**Mr. Jerry J. Ouellette:** 'Twas just weeks before Christmas and all through the House,

The members were scurrying for the rise of the House.

And the pages all stood firm in their place,  
guarding and watching our ominous mace.

Now the Speaker just stood for a quieting therein,  
calling "Order! Order!" as he said with no grin,

"I know all are restless, with shouting and posturing about,

but it's order we'll have or I'll toss you straight out."

Then the members, they seated and they listened with care,

in hopes an agreement soon would be there.

Now the sergeant is seated with sword at his side,  
maintaining the order that he does with such pride.

And Hansard, yes, Hansard, and the words that they know,

for who has said what, with the occasional show.

The Clerk being seated and advising the Chair,  
reviewing petitions and order questions with care.

Then the House, it did rise, and the members went home,

leaving the Speaker just standing and being alone.

But it's the House, yes, the House, or the chamber you see

that influences generations, many yet to be.

Then the doors, they are closed, and the lights put on dim,

awaiting a time once again, when all shall begin.

**The Speaker (Hon. Steve Peters):** I know the Speaker shouldn't interject, but that was great.

The member for Scarborough Southwest.

MOHIBUL ISLAM  
AND SHAMIMA JESMIN

**Mr. Lorenzo Berardinetti:** Thank you, Mr. Speaker. And following that nice rhyme, I'm wondering if you're going to allow singing in the future for statements—just to put the Speaker on notice.

On December 1, I was honoured to be invited to the launch of the inaugural art exhibit at the Scarborough Civic Centre main rotunda. This exhibition depicts the work of Mohibul Islam and Shamima Jesmin of the Bengali Nandonik Fine Arts and Crafts Centre. The Nandonik centre was founded by Mohibul Islam in 2002. It's a non-profit cultural community organization that is dedicated to teaching art and painting to children. Some of the themes these children have worked on include international human rights, mothers, children and the global community at large. The centre recently completed a two-week group children's art exhibition at the Toronto Civic Centre art gallery. The word "Nandonik" is an aesthetic Bengali word that means "a flowery garden."

Both husband and wife are fine arts graduates of the University of Dhaka in Bangladesh. They have participated in major exhibitions in Uppsala and Stockholm, Sweden and other locations such as India, Bangladesh, Holland and the USA. They have received several awards for their work, including the Japan Prize, the Seoul art prize, the Indian Young Artist Poster Award, and many other awards as well.

In our community and, indeed, in this country, we are enriched by the contributions and work of this couple. They are indeed an asset and have added to the tapestry of art enthusiasts and the community in general. Please join me in congratulating and recognizing the contributions of Shamima Jesmin and Mohibul Islam to the arts.

## ASSISTANCE TO FARMERS

**Mr. Ernie Hardeman:** I'm pleased to rise today to recognize the Grain Farmers of Ontario and the grain and oilseed safety net committee, who will be here tomorrow morning at Queen's Park. I know that the Grain Farmers of Ontario have had a very busy year, and I want to congratulate them on everything that they have accomplished to raise the awareness of the new organization and the needs of their farmers.

Many of the agricultural organizations have come together to deliver the message to government that CAIS, now called AgriStability, isn't working for farmers. Grain and oilseeds need a permanent risk management program that they can count on, and it must be expanded to other sectors.

The breakfast tomorrow morning is an informal opportunity to meet and talk with grain and oilseed producers, to celebrate the season and to get an update on what government can do to help them be competitive. The safety net committee has been working with Quebec producers and they will be updating us on their progress with the risk management programs.

Ontario grains and oilseeds represent more than 25,000 farm families across the province who grow corn, soybeans, wheat, canola and edible beans. Their labour and innovation bring in nearly \$3 billion in food and biofuel product per year and over \$10 billion per year in spin-off industries.

I want to wish all of the members of the House a merry Christmas and all the best over the holidays. And I hope that before you head home for the holidays, you will join us for breakfast tomorrow morning and support our grain and oilseed producers.

### TIBET

**Ms. Cheri DiNovo:** I rise on behalf of the 4,000 or so Tibetans who live in my riding, Tibetans who are refugees for the most part; whose relatives have been imprisoned; whose monasteries have been destroyed; whose monks and nuns have been torched; and who came here looking for freedom, accountability and democracy. Many of them will be on the front lawn this evening in a vigil for their estranged families still back in Tibet—many of them unknown in terms of whether they're dead or alive.

They've made a simple request of this government, of Minister Chan and MPP Tony Ruprecht: that they can have a flag-raising ceremony here. Not necessarily today—today we recognize that it's too late—but at some point in the near future. They have not received a response.

The Ontario Parliamentary Friends of Tibet, Students for a Free Tibet, as well as the Canadian Tibetan Association of Ontario have all requested simply what other nationalities and other groups have already received: to have a flag-raising ceremony at the front of Queen's Park to recognize their own community and their own community's trials, tribulations and triumphs. That's all that they've asked. So I ask it on their behalf here in the House.

I hope that Minister Chan is listening. I hope that Tony Ruprecht is listening. I hope that the Liberal Party is listening. In fact, I hope Dalton McGuinty is listening all the way from India, because for the Tibetans, this would mean so much. It truly would be, then, a merry Christmas for them.

1510

### INFRASTRUCTURE PROGRAM FUNDING

**Mr. Jean-Marc Lalonde:** Last week, I was delighted to participate in two official sod-turnings for an extremely valuable project in my riding.

The Paul-Émile Lévesque Community Centre is undergoing an expansion, thanks to joint federal-provincial funding, to improve this valuable hub of activity in the village of Casselman. Through the Recreational Infrastructure Canada Ontario program, called RINC, the McGuinty government has contributed \$306,000 for this expansion.

Furthermore, I had the pleasure of attending a sod-turning for the Forest Park sewage collection system, in the Nation municipality. Through the Building Canada Fund, the Ontario government is contributing \$978,000 toward the construction of this vital infrastructure project. I would like to offer my thanks and congratulations to the Forest Park Residents Association, who worked tirelessly on the proposal for this worthwhile project.

These two projects are examples of all levels of government being committed to stimulating the Ontario economy by reducing red tape, creating jobs for Ontarians and getting shovels in the ground sooner.

### THRESHOLD SCHOOL OF BUILDING

**Ms. Sophia Aggelonitis:** Last month, I had the opportunity to visit the Threshold School of Building in Hamilton. A registered non-profit charity since 2001, the Threshold School of Building teaches skills development to youth in Hamilton whose personal circumstances have created barriers to their employment. For this reason, the Threshold School of Building is a key player in Hamilton's fight against poverty.

The school provides a six-week Ready to Work program, exposing its participants to a number of construction trades. From plumbing and electrical to carpentry and drywall, participants in Ready to Work are given hands-on experience while learning employment and life skills.

I'd like to take this opportunity to thank Patrick O'Neill, the chair of the development committee; Phillip Bender, the chair of the board; Jeff Wingard, the vice-chair of the board; and John Grant, the executive director, for their outstanding work. They have been instrumental in the success of the Threshold School of Building.

There is no question that this school changes the lives of all those who pass through its door. I know that it will continue to have a positive and a productive impact on many Hamiltonians, giving them new skills, a fresh start and renewed hope.

### GENERAL MOTORS OF CANADA

**Mr. Joe Dickson:** I rise in the House today to share some additional good news from Durham region. As you may remember, our government caucus chair, Carol Mitchell, let us know in the Legislature that GM announced that the all-new 2011 Buick Regal will be built in Oshawa. Mr. Ouellette has also mentioned this. In my riding of Ajax-Pickering, there are over 1,000 General Motors employees. This good news will put a portion of Durham's 6,000 GM workers back in the plant in early 2011.

This week, GM announced a 75% increase in production for the first quarter of 2010. This could not have been possible without the McGuinty government investing \$3.52 billion in GM, combined with federal money for a total of \$10.6 billion.

Twelve months ago, I was getting phone calls from GM workers asking what our government was going to do to help them amidst the global recession and the horrendous news about GM's finances. I told them that our government would be there for them.

Oshawa city council and the CAW, in concert with General Motors, have all pulled together. On different occasions, popular Mayor John Gray passed his thanks, through me, to Premier McGuinty for showing the way as the first non-national jurisdiction to stand behind the workers, the union and the company. That took intestinal fortitude.

That's great news for Ontario.

### VISITORS

**The Speaker (Hon. Steve Peters):** I want to take this opportunity, on behalf of the member from Burlington and page Christopher Dabner, to welcome his mother, Katie Dabner; his brother Geoffrey Dabner; and his grandmother Nancy Hood, who has travelled from Tennessee to be here today. Welcome to Queen's Park.

### REPORTS BY COMMITTEES

#### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

**Mr. Michael Prue:** I beg leave to present a report from the Standing Committee on Regulations and Private Bills and move its adoption.

**The Clerk-at-the-Table (Ms. Tonia Grannum):** Your committee recommends that Bill 132, An Act to amend the Liquor Licence Act, be not reported.

**The Speaker (Hon. Steve Peters):** Shall the report be received and adopted? Agreed? Agreed.

*Report adopted.*

### INTRODUCTION OF BILLS

#### PENSION BENEFITS AMENDMENT ACT, 2009

#### LOI DE 2009 MODIFIANT LA LOI SUR LES RÉGIMES DE RETRAITE

Mr. Duncan moved first reading of the following bill:  
Bill 236, An Act to amend the Pension Benefits Act /  
Projet de loi 236, Loi modifiant la Loi sur les régimes de retraite.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The minister for a short statement.

**Hon. Dwight Duncan:** Ministerial statements.

#### SUSTAINABLE WATER AND WASTE WATER SYSTEMS IMPROVEMENT AND MAINTENANCE ACT, 2009 LOI DE 2009 SUR LA VIABILITÉ ET L'AMÉLIORATION DES RÉSEAUX D'APPROVISIONNEMENT EN EAU ET D'EAUX USÉES

Mr. Caplan moved first reading of the following bill:  
Bill 237, An Act to sustain and encourage improvement in Ontario's water and waste water services and to establish the Ontario Water Board / Projet de loi 237, Loi visant à assurer la viabilité des services d'approvisionnement en eau et des services relatifs aux eaux usées de l'Ontario et à favoriser leur amélioration et créant la Commission des eaux de l'Ontario.

**The Speaker (Hon. Steve Peters):** Is it the pleasure of the House that the motion carry? Carried.

*First reading agreed to.*

**The Speaker (Hon. Steve Peters):** The member for a short statement.

**Mr. David Caplan:** Before a statement, just a very quick thank you to legislative counsel Danna Brown and her team for the help in putting the bill together, as well as Lori Janbazian in my office.

This bill will promote clean, safe drinking water, ensuring Ontario is strong, healthy and prosperous. The bill evolves from Justice O'Connor's recommendations from the Walkerton inquiry and from the recommendations of the water strategy expert panel's report.

This bill does a number of things. It ensures the public ownership of water and waste water systems. It promotes financial sustainability. It improves transparency in the provision of water and waste water services to the public. It mandates full metering, and it creates an independent economic regulator with the expertise and authority to administer the act.

The act brings into broad daylight the often hidden water and waste water services. Well-maintained and well-functioning water and waste water systems indeed underpin our very quality of life. This legislation will help Ontarians continue to enjoy high standards of public water services that are affordable and sustainable for generations to come.

### STATEMENTS BY THE MINISTRY AND RESPONSES

#### PENSION PLANS RÉGIMES DE RETRAITE

**Hon. Dwight Duncan:** First of all, in the west gallery there are a number of officials from the Ministry of Finance who have put in close to two years of their lives

consulting and working on this bill, and they truly represent the very best in Ontario's public service. I welcome them today.

I am pleased today to introduce legislation to amend the Pension Benefits Act. This is the beginning of the next step in our government's plan to strengthen and modernize the employment pension system and address the needs of pensioners, plan members and sponsors.

Today, I am introducing the first of two bills dealing with pension retirement income over the next year.

Ontario, like the rest of Canada and the world, has faced the most severe economic recession since the 1930s. Pension plans and retirement incomes were not immune from this downturn. As businesses are affected, so are their pension plans. But more than that, families are worried about their futures after retirement, and retirees are worried about how they will continue to live within their current lifestyle.

#### 1520

Over the course of the last year, pension retirement income issues have become increasingly a subject of public discussion. The pension retirement income concerns are not unique to Ontario but are top of mind across the country.

That is why this government and our Premier have called for a national summit on pensions and retirement income. This call has since been echoed by the Council of the Federation. This would provide an opportunity to discuss the challenges facing the Canadian retirement income system and the many options that have been presented to address them.

We are responding to the concerns of those most affected by the employment pension system with a package that represents the first real reform in more than 20 years. The Pension Benefits Amendment Act, 2009, would help pension plans adapt to economic changes while balancing the need for benefit security.

If passed, the Pension Benefits Amendment Act, 2009, will, first, extend the benefits of plan members affected by layoffs and eliminate partial windups. A partial windup occurs when an employer lays off, for whatever reasons, a significant number of its employees. Such action results in employees not being able to qualify for some pension benefits, and employers and plan sponsors having to function within a regulatory mess. Our changes mean more people will get more benefits in more circumstances.

Second, we are making it easier to restructure pension plans affected by corporate reorganizations so that pension plan coverage can continue for affected workers.

Third, we are increasing transparency and access to information for plan members and pensioners.

Fourth, we are enhancing regulatory oversight. We are protecting workers by giving the regulator more power to monitor at-risk pensions.

And fifth, we are improving plan administration and reducing compliance costs.

Clear rules and modernizing pension plan administration would enable plan sponsors and administrators to

operate more efficiently and effectively. Through these proposed reforms, we are helping employer sponsors and plan members deal with the challenges of an economy that is undergoing significant restructuring by updating and improving Ontario's employment pension system.

In the 2009 budget, our government committed to move forward with pension reform and introduce legislation in the fall. Today's announcement follows three years of consultations by the province and the Expert Commission on Pensions. Cette commission, brillamment présidée par M. Harry Arthurs, a effectué un examen indépendant de la Loi sur les régimes de retraite. It held 11 public hearings attended by more than 700 individuals, received 127 submissions and commissioned 17 research projects.

Our government is also dealing with issues not being addressed in the legislation. Par exemple, les ministres des Finances et des pensions des quatre coins du Canada se réuniront à Whitehorse ce mois-ci afin de discuter d'une étude ayant été commandée sur l'état du système de revenu de retraite.

There are many aspects of the retirement income system that work well, but we know there is room for improvement.

As well as calling for a national summit, we continue to work constructively with other governments across the country to build consensus on improvements to our retirement income system. We understand the complexity of the issues that need to be addressed. That is why we are proposing a balanced approach, one that is a multi-step process. The legislation being introduced today is only the beginning of the next step of this process.

Earlier this year, our government took significant steps to address some of the more pressing issues facing plan members and sponsors. These included measures to help protect jobs and families, and businesses that employ Ontarians. Today's package of much-needed changes to Ontario's pension legislation is the next step in our commitment to strengthen the pension system for Ontarians. I look forward to the discussion that this legislation will generate, and I appreciate the attention that I know all members will give it.

**The Speaker (Hon. Steve Peters):** Statements by ministries? Responses?

**Mr. Norm Miller:** I am pleased to have the opportunity to respond to the Minister of Finance's statement to do with pensions and the new bill that he has just introduced.

As this pension reform was being introduced, I did hear a member who thought it was something to do with MPP pensions, but I can assure him it has nothing to do with that. We will continue to have a retirement plan where we all just contribute towards it, as about 60% or 70% of the population does.

I would have to ask the question: What took the government so long? The McGuinty government received the report of the Expert Commission on Pensions entitled *A Fine Balance: Safe Pensions, Affordable Plans, Fair Rules* in November 2008, more than a year ago. The

report has 142 recommendations. The government has been saying all along, I think even before the fall session started, that they would have pension legislation. Here we are, almost at the last day of the fall session, and they're finally introducing a bill that obviously won't be debated in this session of the Legislature. I will note that Mr. Arthurs, who served as chair of the commission, begged the government to act quickly. In fact, that was one of his key recommendations. Yet, as I say, the government has waited to the very last day of the fall session to introduce this bill. Certainly, I will look forward to looking over the bill in detail to see what it has in it.

I note that just last week the member from Carleton–Mississippi Mills had a private member's bill—I think it was Bill 213—to do with Nortel pensioners, who may see their plan wound up in the not-too-distant future. So it has some immediacy to it. They have some concerns that are very time-sensitive. That was a very simple bill that would allow FSCO to have two choices instead of one. From what I understand right now, if that plan is wrapped up, annuities have to be created and that could very much hurt the value. With the low interest rate that we have at the present time, that could really negatively affect those Nortel pensioners and they could lose 30% to 50% of the value of their pensions. The member from Carleton–Mississippi Mills had a private member's bill that would allow for two choices: either an annuity, but also the option of moving the pension into a registered pension plan, with a later option to purchase an annuity so that they wouldn't lose the capital value of the plan. That was not the first choice the Nortel pensioners were looking for but it was something they were hoping might happen. I note that all the Liberal members in the Legislature voted against that private member's bill.

I also note that in the spring budget bill, despite the recommendation of Mr. Arthurs that if there were going to be monies forwarded to the pension benefit guarantee fund, those monies should be loaned, not granted, in the spring budget bill the Minister of Finance has given himself the authority to just write a cheque up to substantial amounts. That was directly against the advice of Mr. Arthurs in his report.

Of course, we saw today the HST bill get rammed through the Legislature. That has a real negative effect for the 70% of the people who don't have pensions and are trying to have RRSPs, because there will, as of July 1 next year, be an 8% additional tax on management fees for people trying to save.

This is what that means: Consider that a small investor has \$20,000 in mutual funds and contributes \$4,000 each year. Over a 20-year period, the HST means an additional \$4,000 in tax. So this investor will lose an entire year's worth of savings because the HST is being applied to the cost of managing the mutual fund. Investors pay it each and every year. What's ironic about that is, the more people save, the more tax they will pay. You are penalizing the very people who are trying to save for their retirement. As I say, that's some 60% to 70% of the population. Canada is unique in the world of value-added

taxes that that tax is being applied. I think it's something that needs to be fixed.

**The Speaker (Hon. Steve Peters):** The member from Hamilton East–Stoney Creek.

**1530**

**Mr. Paul Miller:** I'd like to start off by thanking the staff members who worked on this bill. Obviously, I haven't had time to read the bill. We just received it in detail, so I want to use this opportunity to talk about what the NDP will be looking for in terms of pension reform and the two packages that will be debated over the upcoming months.

First, with only 35% of Ontarians covered by an occupational pension plan, there's a clear need for expanded pension coverage for all working Ontarians. Ideally, the way this would be done would be to increase the benefit levels of the Canada Pension Plan. This would draw on existing economies of scale, risk-sharing and administrative efficiencies of the plan. The Ontario NDP joins with the federal NDP and the Canadian Labour Congress in their campaign for an expanded national, universal, pension plan in the form of enhanced CPP.

That said, the issue of expanding coverage is an urgent one. We in the Ontario NDP do not believe that the Harper government is going to move to expand coverage, and therefore we believe there is an important role to be played at the provincial level in greatly expanding workplace pension coverage.

Therefore, we in the Ontario NDP believe that Ontario should move ahead with other provinces and develop a provincial employment-based pension plan for all working Ontarians who presently lack occupational coverage.

Second, the NDP supports the Arthurs Commission recommendation for establishing an Ontario pension authority. We believe that pooling, administering, investing and disbursing stranded pensions would be an important role for this authority.

Third, the level of monthly pension plans eligible for protection by the pension benefits guarantee fund is completely inadequate. We believe that over time, the monthly guarantee covered by the PBGF should be increased to a maximum of \$2,500 to reflect the effect of inflation on the original maximum of \$1,000.

While the NDP agrees that the basis on which the levy will be paid by plan sponsors is a complex matter and that a phase-in period may be necessary, we are extremely disappointed that this key Arthurs recommendation is nowhere to be seen in the first package of pension reform in the legislation.

Fourthly, the NDP believes that existing grow-in rights that provide access to early retirement benefits for all qualifying single-employer pension plan members in the event of a full or partial plan windup should be extended to all such members who are involuntarily terminated. Qualifying members should continue to be those whose age and years of service add up to 55. This is yet another key Arthurs recommendation that the NDP strongly supports. We believe that it would increase equity and reduce the number of disputes about full or partial windups.

Finally, the NDP supports the Arthurs recommendation that all active plan members should be immediately vested for all accrued pension benefits. The NDP strongly supports the key Arthurs recommendation and believes the recommendation should be implemented immediately.

Those are our pension priorities. A first glance at this package suggests that most of these concerns have not been addressed. We are particularly disappointed that there is no movement on the pension benefits guarantee fund. This is critical, and we see nothing in the legislation to address that shortfall.

That said, the government has clearly responded to our concerns on vesting. They have done that. They have moved in that direction. They have moved on a couple of other points that were some of our concerns, and that's good news. However, the main one is still being un-addressed.

However, there is still considerable work to be done, and you will be hearing much more from the NDP on this issue of vital importance to Ontarians. But I'm glad that the government is moving slowly—very slowly—in the direction to help Ontarians.

## PETITIONS

### TAXATION

**Mr. Norm Miller:** I have several thousand petitions here, and I shall read them.

“To the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty promised Ontarians he would not raise their taxes and then broke that promise after getting elected; and

“Whereas Dalton McGuinty also said it would be ‘silly’ to raise taxes in a time of economic challenge; and

“Whereas Dalton McGuinty’s new plan to blend the provincial sales tax with the GST into one harmonized tax, the 13% Dalton sales tax (DST), scheduled to take effect on July 1, 2010, represents one of the largest tax hikes in Ontario history, at a time when Ontarians are still feeling the effects of the recession; and

“Whereas the 13% DST will increase the cost of a long list of items not previously subject to the provincial sales tax, including electricity, cable, gas, transit fares, haircuts, newspapers and magazines, your morning cup of coffee—all things Ontarians depend on every day—making it even more difficult for families and seniors to make ends meet; and

“Whereas the 13% DST will also raise the cost of carpentry and plumbing services, heating and air-conditioning repairs, landscaping and snow-plowing, renovations and other professional services, meaning that home prices, condo fees and rents will go up and businesses will have a harder time paying the bills;

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

“That the McGuinty government not impose this new tax on Ontario’s hard-working families and businesses.”

I’ll give these thousands of petitions to Maggie.

### ELECTRONIC HEALTH INFORMATION

**Mrs. Joyce Savoline:** “To the Legislative Assembly of Ontario:

“Whereas the McGuinty government squandered \$1 billion on contracts with Liberal-friendly consultants and excessive expense claims by eHealth executives and consultants; and

“Whereas the Auditor General of Ontario reported on the spending at eHealth and highlighted the role of the Management Board of Cabinet in waiving the rules about contract tendering; and

“Whereas the Auditor’s report suggests that bids were rigged to ensure pre-chosen companies would be awarded the business; and

“Whereas the Ministry of Health refused to allow the Auditor General to begin his audit of eHealth for six months; and

“Whereas serious questions remain about the role of McGuinty Liberal cabinet ministers, including former Health Minister George Smitherman, in this spending scandal;

“We, the undersigned, petition the Legislative Assembly of Ontario to demand a full public inquiry into the eHealth spending scandal to determine whether anyone received personal gain from the thwarting of contract tendering rules, what the relationship was between the Liberal Party or individual Liberal MPPs and the various consultants hired by eHealth, and which McGuinty cabinet ministers were involved in the improper tendering of contracts.”

I agree with this petition. I will sign it and give it to page Karen.

### TAXATION

**Mr. Garfield Dunlop:** I have a petition from a group of people in Barrie from the Bay Club.

“Whereas the proposed harmonization of the Ontario retail sales tax with the federal general sales tax will significantly increase the monthly maintenance fees that owners of condominium corporations contribute; the proposed tax increase of 8% on the monthly maintenance fee and reserve fund will cause major economic concern to many condominium corporation owners and severe economic consequences for many condominium corporation owners;

“We the owners/residents of Simcoe Condominium Corp. No. 37, located at 181 Collier St. in Barrie, Ontario, petition the government of Ontario to exempt all Ontario condominium owners from the new proposed tax on the maintenance fees and reserve fund fees paid by the corporation owners.”

I’m pleased to sign this and give it to page Saeyon.



## TAXATION

**Mrs. Julia Munro:** “To the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty said he wouldn’t raise taxes in the 2003 election, but in 2004 he brought in the health tax, the biggest tax hike in Ontario’s history; and

“Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it; and

“Whereas Dalton McGuinty’s new 13% sales tax will increase the cost of goods and services that families and businesses buy every day, such as ... gas at the pumps, home heating oil and electricity, postage stamps, haircuts, dry cleaning, home renovations ... veterinary care, and arena ice and soccer field rentals;

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

“That the Dalton McGuinty government wake up to Ontario’s current economic reality and stop raising taxes once and for all on Ontario’s hard-working families and businesses.”

## TAXATION

**Mr. Robert W. Runciman:** I won’t read this petition. I’ll only say that there are thousands of signatures of residents of Leeds–Grenville vehemently opposed to the implementation of the HST, and I strongly agree with them.

## TAXATION

**Mr. Ted Chudleigh:** I have a petition to the Legislative Assembly of Ontario.

“Whereas the province of Ontario collects a provincial sales tax (PST) and the federal government of Canada collects a goods and services tax (GST) and the current government of Ontario is proposing to merge the two taxes into a single harmonized sales tax (HST); and

“Whereas the proposed harmonized sales tax does provide some benefits to business in Ontario; and

“Whereas this new tax will result in provincial taxes being charged on a large number of items and services where it is not currently charged; and

“Whereas the people of Ontario have absorbed a number of new and increased taxes despite Dalton McGuinty’s promises that such tax increases would not be implemented, and have therefore seen their disposable income drop accordingly; and

“Whereas these additional taxes will result in increased taxes paid by Ontarians;

“We, the undersigned, petition the government of Ontario to immediately rescind their existing plan and initiate a joint process with the federal government to reconsider the proposed harmonized sales tax, with special consideration for matching existing tax exempt items and services, in order to ensure that any changes to

tax policy do not further increase taxes paid and revenue collected.”

I agree with this petition, affix my name and pass it to my page, Hadhy.

1540

## TAXATION

**Mr. John Yakabuski:** I have a petition to the Legislative Assembly of Ontario, and it will likely be the last opportunity I have to table these petitions. I want to thank all the people who’ve given these throughout the fight against the HST.

“Whereas residents in Renfrew–Nipissing–Pembroke do not want the McGuinty Liberals’ new sales tax, which will raise the cost of goods and services they use every day; and

“Whereas the McGuinty Liberals’ new sales tax of 13% will cause everyone to pay more for gasoline for their cars, hydro, heat, telephone, cable and Internet services for their homes, and will be applied to home sales over \$400,000; and

“Whereas the McGuinty Liberals’ new sales tax of 13% will cause everyone to pay more for meals under \$4, haircuts, funeral services, gym memberships, newspapers, and lawyer and accountant fees; and

“Whereas the McGuinty Liberals’ new sales tax grab will affect everyone in the province: seniors, students, families and low-income Ontarians;

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

“That the McGuinty Liberal government not increase taxes for Ontario families.”

I support the petition and affix my name, and I will send it down with Robyn.

## PUBLIC TRANSIT

**Mr. Mike Colle:** I have a petition on behalf of a transit worker who lost an eye, while driving a bus, as the result of a gunshot wound.

“Whereas too many innocent people are being victimized by acts of violence while using public transit; and

“Whereas too many public transit employees are being victimized by acts of violence while working to serve the public; and

“Whereas we need to send a strong message of zero tolerance for violence on public transit; and

“Whereas anyone harming” anyone “or carrying a weapon on public transit should be dealt with by the full force of the law; and

“Whereas public transit riders and workers have the right to ride and work on public transit free of violence, intimidation” and from being shot;

“We, the undersigned, petition the Legislative Assembly of Ontario to put an end to violence on public transit and totally support ... Bill 151 to crack down on violence on public transit.”

I support this petition, and I affix my name to it.

## TAXATION

**Mr. Jerry J. Ouellette:** I have a petition that reads:

To the Legislative Assembly of Ontario:

“Whereas Dalton McGuinty said he wouldn’t raise taxes in the 2003 election, but in 2004 he brought in the health tax, the biggest tax hike in Ontario’s history; and

“Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it; and

“Whereas Dalton McGuinty’s new 13% sales tax will increase the cost of goods and services that families and businesses buy every day, such as: arena ice, soccer and baseball field rentals; gasoline; cellphone bills; home heating oil and electricity; gym fees; golf green fees; ski lift tickets; movie, theatre and event admission fees; Internet services; boat rentals, fishing licences, charters and wood for the campfire; home renovations; and real estate transactions;”—to name but a few.

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

“That the Dalton McGuinty government wake up to Ontario’s current economic reality and stop raising taxes, once and for all, on Ontario’s hard-working families and businesses.”

I affix my name in full support.

## TAXATION

**Mr. Ted Arnott:** I have a petition for the Legislative Assembly of Ontario, and it reads as follows:

“Whereas Dalton McGuinty said he wouldn’t raise taxes in the 2003 election, but in 2004 he brought in a brand new tax on income that they inaccurately claimed was going to ‘health care’; and

“Whereas Dalton McGuinty will increase taxes yet again with his new 13% combined sales tax, at a time when families and businesses can least afford it;

“Whereas Dalton McGuinty’s new 13% sales tax will increase the cost of goods and services that families and businesses buy every day, such as ... gas at the pumps; home heating oil and electricity; postage stamps; haircuts; dry cleaning; home renovations; veterinary care; and arena ice and soccer field rentals;

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

“That the Dalton McGuinty government wake up to Ontario’s current economic reality and stop raising taxes, once and for all, on Ontario’s hard-working families and businesses.”

This is signed by a number of my constituents, as well as a number of constituents from the riding of Perth-Wellington.

## TAXATION

**Mr. Paul Miller:** This petition is: “Stop the Unfair Tax Grab.” To the Legislative Assembly of Ontario:

“Whereas Ontario has lost 171,000 jobs since October and over 300,000 manufacturing and resource sector jobs since 2004; and

“Whereas many families are facing the threat of lay-offs or reduced hours; and

“Whereas, rather than introducing a plan to sustain jobs and put Ontario’s economy back on track, Dalton McGuinty and his government chose to slap an 8% tax on everyday purchases while giving profitable corporations a \$2-billion income tax cut;

“Be it resolved that the undersigned call on the Legislature to cancel the scheduled implementation of sales tax harmonization.”

I agree with this and will affix my name to it. Iman will bring it down.

## HOSPITAL SERVICES

**Mr. Ted Chudleigh:** A couple of months ago, I put in over 10,000 names, and I’ve got about another 2,000 names for this petition.

“To the Legislative Assembly of Ontario:

“Whereas the town of Milton is the fastest-growing community in Canada, with a population that is expected to surpass” 130,000 “by 2014; and

“Whereas the Milton District Hospital is designed to serve a population of 30,000; and

“Whereas young families, seniors and all residents of Milton are currently unable to access quick and reliable health care; and

“Whereas the excellent doctors and nurses at Milton District Hospital are constrained by unacceptable conditions and a lack of resources;

“We, the undersigned, petition the government of Ontario to immediately approve and initiate the process to expand Milton District Hospital and to provide adequate interim measures to prevent further suffering for the people of Milton.”

I’m pleased to sign this petition and pass it to page Alana.

## HOSPITAL FUNDING

**Mr. Norm Miller:** I have a petition having to do with Muskoka-Algonquin Healthcare funding. It reads:

“Whereas demand for health services is expected to continue to rise with the growing retirement population in Muskoka-East Parry Sound; and

“Whereas recent funding cuts include the loss of health care services at the Burk’s Falls health centre, reductions in acute care beds at both hospitals and cuts to services such as physiotherapy; and

“Whereas the government is providing hospitals with funding increases of roughly 2%, but costs for health care salaries negotiated by the ministry and other fixed costs are increasing at a rate of 4% to 5% each year; and

“Whereas hospitals will face ongoing budget cuts as a result of insufficient funding by the province of Ontario,

despite collecting \$12 billion in health taxes from Ontarians;

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

“That the McGuinty government and the Minister of Health provide adequate increases in the operating budget of Muskoka Algonquin Healthcare to maintain current health services for the people of Muskoka-East Parry Sound and provide long-term-care beds for Muskoka-East Parry Sound.”

I support this petition.

#### DRIVER LICENCES

**Mr. Robert W. Runciman:** I have a petition addressed to the Legislative Assembly of Ontario with several hundred names—I have tabled earlier petitions on the same subject; I think we have thousands of names—objecting to the closure of two independently owned and operated driver and vehicle licence issuing offices, one in Kemptville and one in Brockville. It makes no sense, in terms of providing support to consumers and providing best value for taxpayers. I’m affixing my signature in support.

#### DRIVER LICENCES

**Mr. John Yakabuski:** I will not read the petition, in the interest of giving someone else the time. This is a petition on the same issue, with thousands of names requesting that the government keep these privately owned driver and vehicle licence issuing offices in Ontario open. I support it, and I affix my name.

#### SCHOOL TRANSPORTATION

**Mr. John Yakabuski:** I also have a petition to the Legislative Assembly of Ontario; I will not read it in the interest of time. It’s to save Ontario’s independent school bus operators. I have hundreds of signatures on this. It is also an issue that the government has been ignoring. I support and table this petition today.

### ORDERS OF THE DAY

#### OCCUPATIONAL HEALTH AND SAFETY AMENDMENT ACT (VIOLENCE AND HARASSMENT IN THE WORKPLACE), 2009

#### LOI DE 2009 MODIFIANT LA LOI SUR LA SANTÉ ET LA SÉCURITÉ AU TRAVAIL (VIOLENCE ET HARCÈLEMENT AU TRAVAIL)

Mr. Fonseca moved third reading of the following bill:  
Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment

in the workplace and other matters / Projet de loi 168, Loi modifiant la Loi sur la santé et la sécurité au travail en ce qui concerne la violence et le harcèlement au travail et d’autres questions.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Fonseca.

**Hon. Peter Fonseca:** I rise today to speak out against violence and harassment in the workplace. The bill before this House is aimed at protecting workers. Violence and harassment have no place in our workplaces. These are serious and significant issues in the workplace, and our government is committed to dealing with these issues.

On April 20, 2009, I introduced this bill containing amendments to Ontario’s Occupational Health and Safety Act to help tackle workplace violence. In October I stood before you again, when this bill was debated and passed second reading. Today I’m asking for your support once again as this bill, known as Bill 168, enters third reading.

#### 1550

Workplace violence and workplace harassment can have tremendous consequences on workers, on their families and on society as a whole. It is a frightening and harmful experience for a worker who experiences violence in the workplace. It leaves them with an immeasurable emotional and physical scar. And the trauma doesn’t stop there. Workplace violence and harassment are damaging to the victims’ relatives, affecting everyone, including children, parents and the extended family. It creates guilt in the workplace for those who may have known of the risk against an individual but could do nothing to prevent it. And it creates fear for those who continue to work in a workplace where violence occurred and who never know when another incident may occur where they will be the next target.

Workplace violence and harassment is also harmful to business. It leads to increased costs for employers, increased absences from work and lower productivity. Almost one in five violent incidents occur in the workplace. In fact, a 2004 Statistics Canada survey found that 17% of violent incidents in Canada occurred in the workplace. Last year, in the period from April 2008 to March 2009, the Ministry of Labour received 170 complaints related to violence in the workplace.

Our health and safety inspectors at the Ministry of Labour were called in to deal with these matters involving workplace violence and harassment and made more than 400 field visits during the 2008-09 fiscal year related to these matters. Their investigations resulted in more than 350 orders being issued under the Occupational Health and Safety Act. It’s clear that our government must increase protection for workers by addressing the potential for violence and harassment in the workplace.

The bill before the honourable members in this House today is designed to confront those issues. It not only proposes to enhance protections against workplace violence, but it also addresses workplace harassment. Everyone should have the right to go to work, without fear of

violence, to a workplace that is safe and healthy. By preventing injuries and creating healthier workplaces, we're saving business money and creating a more prosperous Ontario. Employers must ensure the safety of their workers in the workplace. These proposed amendments would require employers to proactively assess certain risks of workplace violence and create measures and procedures in a workplace violence program to control those risks. Our goal is to prevent incidents of violence and harassment before they occur.

If passed, these new provisions would be enforced by my ministry's health and safety inspectors. My ministry is currently working with its occupational health and safety system partners to develop resources and tools to help support employers and workers. We're also working with the Ontario Women's Directorate. We want to raise public awareness of the rights and responsibilities that employers and workers would have related to workplace violence and harassment.

If this bill is passed, workplace violence and harassment would also become part of the ministry's Safe at Work Ontario compliance strategy. Safe at Work Ontario seeks to improve workplace health and safety practices. It does this by raising awareness of hazards and by conducting specific inspection blitzes of those hazards in various sectors across our province. It takes a broad approach to safety, based on the potential for injury and illness as well as the prevalence of hazards in the workplace.

There is no acceptable rate of injury in Ontario. I'm proud to say that our government has lowered the lost-time injury rate by over 25% in the last six years. But we could do more, and if this bill passes, workplace violence and harassment would become hazards that would be considered by our occupational health and safety staff in the planning of these workplace inspections.

The McGuinty government has listened to stakeholders about how to address workplace violence and harassment. We've consulted with employers, with labour and with women's groups. We have recognized that the protections and responsibilities under the Occupational Health and Safety Act need to be clarified and that workers and employers need to know what is expected of them. This bill would provide certainty to workers about their rights. It would also clarify that employers have responsibilities in preventing workplace violence and in addressing harassment.

My ministry has dealt with the serious issue of workplace health and safety by hiring more inspectors and by continuing to look for ways to make the whole system function better. We've also dealt with it by proposing amendments to the Occupational Health and Safety Act so that we can address workplace violence and harassment.

We must deal with workplace violence not just from another worker, but from anyone who has access to a workplace. It could be a customer at a gas station, a patient in a hospital, a student or a parent at a school, or someone, as the MPP for Eglinton-Lawrence said, getting

onto a TTC bus. The source of the violence should not matter. As the government, it is our obligation to deal with workplace violence.

The amendments in this bill are designed to build upon the current protections in the act. In the past 12 years, three coroners' juries have recommended amendments to the Occupational Health and Safety Act to address workplace violence. There's no denying that violence occurs in our workplaces.

I'm proud to be part of a government that is proposing new rights and responsibilities to prevent and respond to violence and harassment in the workplace. We need to work together to prevent and eliminate workplace violence, and Bill 168 will help us do this (1) by clarifying the obligations and the rights of workers; (2) by helping employers learn what minimum standards are expected for their workplace; and (3) by giving workers the right to refuse work if they believe they're in danger of workplace violence.

For many years, the Ministry of Labour has been requiring employers to take reasonable precautions against workplace violence. The amendments in this bill would clarify those precautions and make workplaces even safer. They would do so without substantially increasing the regulatory burden or costs on Ontario businesses, and at the same time they would make Ontario businesses much more competitive and productive.

Preventing injuries and absences leads to higher worker morale and greater productivity, and reduced lost-time injuries lead to lower workplace insurance premiums and costs.

I want to acknowledge the dedication and the work done by everyone who helped put together this legislation. I want to thank all those who provided input, including my colleagues in education and health, and also my policy adviser Melissa Banfield, who did an outstanding job.

And now I stand before this Legislature and ask for the support of its members to pass these amendments. Together, I know that we can make Ontario's workplaces safer. Together, I know that we can create work environments that are free of fear for the thousands of workers in this province.

**1600**

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. John Yakabuski:** I'm pleased to speak on Bill 168, workplace violence, and we all applaud any efforts to improve the environment and, if possible, eliminate workplace violence. I don't think any employee or anybody involved in a workplace should be subjected to violence and/or harassment in the workplace, so we're going to be supporting this bill here on third reading. I know that it will be passed today.

But there are some issues that I think the Minister of Labour needs to be aware of as well. He needs to also ask himself, "What about the employees of the ministry itself and the harassment that they participate in?" The other day I raised the question. The minister was unable to be

here, but the Minister of Finance, the Deputy Premier, answered the question, saying, "Well, this case is before the courts." The case I'm going to talk about is not before the courts. It's a case where the Ministry of Labour, after getting caught in its own web, was forced to drop four charges under the Occupational Health and Safety Act against Gulick Forest Products in Palmer Rapids, Ontario, in my riding. The conduct of ministry employees under those circumstances is something that is absolutely unacceptable and that I find quite abhorrent. The minister, if he wants to uphold justice, should feel the same way.

One of the highest principles of justice in a democracy, in a system such as ours, is that the crown should never place the value of a conviction above the value of the truth and the facts. It is not the crown's job to get convictions. It is the job of the defence to get acquittals—that's what they're hired to do—but the crown has very clear legal obligations, and one of them is that they must make available to the defence at any time any evidence that would be exculpatory for the defence. What we had in this situation where the Ministry of Labour charged Gulick Forest Products were several instances where they failed to turn over evidence that would have been exculpatory. In one case, they even claimed that the evidence didn't exist, and when the Gulicks produced copies of the evidence themselves, they went on to say that the original inspector from years ago who had actually done that inspection had lost his narrative notes in a personal move.

Now, you know, my name is Tucker, but it's not "sucker." I mean, give me a break here. A ministry employee keeps his narrative notes at home? Do you see what is happening here? This is all about harassment. What's happening is that these henchmen from the Ministry of Labour are going out into these workplaces, laying charges and then trying to intimidate people into pleading guilty. What was said by Linda Chen, crown counsel, and Catherine Glaister to the Gulicks—Steven Brennan was the inspector—was, "If you don't plead guilty, we're going after you for the full \$2-million fine, but if you plead guilty"—sort of like, have I got a deal for you—"and give us our conviction"—the notch on the belt, so to speak, so that they can look like heroes to the minister—"it's going to be \$65,000 plus a victim surcharge."

But when they got caught in their own web, they got found out—inconsistency, doctored evidence, documents that the numbers were changed on, all of this stuff—then they went back and said, "Oh, we're dropping the charges." But do you know why they said they were dropping the charges? Because their witness was unreliable. Their witness was a young man himself who had been injured in the industrial workplace accident. When they got caught in their own web, now they're saying, "Our witness isn't reliable." Can you imagine that? At one point they were basing their whole case on their witness, and then they said the witness wasn't reliable. But do you know why they said the witness wasn't reliable? Because

they actually went to his house and tried to tell him what his statement was going to be. They actually coached him to make false testimony under oath in this case. So it's a vicious, wicked web of corruption in the Ministry of Labour in order to just get a conviction so we can slap that up on the website and scare the heck out of everybody else in the province of Ontario. That's what harassment is going on at the Ministry of Labour.

If you look on the ministry website, they post the names of everybody who has been charged and everybody who has been convicted. It's like a flag-waving thing: "Look at us. Look who we got." They do this under the guise of seeking safer workplaces for workers. That's not what they're doing. They're just seeking convictions so they can pretend that they're doing something for workers. Everybody who owns a business and everybody who has ever worked in one places the value and the priority of worker safety at the top of the list, but when the crowns themselves would place more importance on a conviction than the truth, we're all in trouble. Our system is in trouble.

I call on the minister, as I called in question period on the Deputy Premier, to immediately embark on a third party investigation of what went on here, not just in this case, but in all of those cases on your desk that you're so proud of on the website, where you've got these guilty pleas by using those intimidation tactics, those threats: "You give us our conviction or we're going after \$2 million." How many small businesses could survive a \$2-million fine? Very few. That's what's going on.

That's what the minister needs to investigate: They need a third party investigator to look at this. In the meantime, people like Linda Chen, Catherine Glaister and Steven Brennan should be off the job so they can't be going around harassing other honest people who are trying to keep people working in Ontario in this economy. If there's a workplace situation where the employer is at fault, by all means—but don't believe that just because you lay a charge, you must have a conviction. Sometimes the truth indicates otherwise, and when the truth indicates otherwise, admit it and move on. You don't have to win every case at the expense of a business that is trying to employ local people. That should be irrelevant to you. It should be irrelevant to you as to whether you convict someone or not. What should matter is the truth, and that's what your people should be focused on in the Ministry of Labour.

Getting back to Bill 168 and what it's specifically about: I commend the government for taking these steps to ensure that workplace harassment and violence are something that we will place a very, very high importance on eliminating. We know that in the real world, it's not going to be a perfect world, but we do have to ensure that whatever steps can be taken will be taken to make Ontario workplaces safer from harassment and violence. At the end of the day, if the truth is what guides us, then we'll make this a good bill; we'll make this something that helps workers. But at the end of the day, it should also be what guides the Ministry of Labour.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Ms. Andrea Horwath:** It's my privilege and pleasure to rise to speak to Bill 168 this afternoon, and I say that because it's a bill that is long overdue in the province of Ontario. Unfortunately, notwithstanding the statistics that were rhymed off by the minister—and he was pretty clear about the tragedy of workplace harassment and violence in this province—the bill isn't what it should be and what it could be in terms of making sure that harassment and violence actually does stop in workplaces in Ontario. Having said that, it is a small step in the right direction, and so we will find our way to voting in favour of this bill, hoping against hope that we'll be able to get some amendments to it sooner rather than later.

**1610**

There is no doubt that the legislation is long overdue, and there is no doubt that there have been people in this very chamber who have been working very hard, over many years now, to try to get to the place where we actually have legislation that covers off harassment and violence in the workplace. What this bill in front of us today does, unfortunately, is not good enough, particularly when it comes to certain kinds of behaviours in the workplace that we know are not going to be covered under the legislation that the minister has brought through the process. That's the unfortunate thing.

What we've seen is a bill that does not deal with the issue of psychological harassment. We have seen the government bring forward a bill that would not have done a single thing to prevent the death of Lori Dupont or of Theresa Vince. I'm going to talk about that a little bit more later on, but in my introductory remarks, I think it's really important to indicate that the bill does not do what it needs to do to save workers in the future from the same horrible, horrifying fate of both Lori Dupont and Theresa Vince.

I think that is the biggest tragedy of this bill: Notwithstanding all of the expert testimony, notwithstanding the testimony of Barbara Dupont, Lori's mom, and notwithstanding the testimony of all kinds of different organizations and experts in this field, and notwithstanding the fact that there are many examples—across the country, across this continent, and around of world—of legislation that actually is effective and does deal with the issue of psychological harassment, or bullying, in the workplace, this government has chosen to absolutely ignore that reality.

I think that's the tragedy of this bill—that those women, particularly, died in vain and that this bill will not prevent women and others in the future, from dying, being murdered, killed in their workplace. That's not what I'm saying; that was clearly identified in the process of the hearings and in the process of the people who came to depute to the minister and to his committee. They said, very clearly, that this bill does not go far enough, and I'm going to put some of their comments on record as well.

The bottom line is, what the bill doesn't acknowledge and recognize is the continuum that exists, from harass-

ment all the way to its worst end, which is the actual act of violence. You don't go straight to the violence. Often the violence comes after incident after incident after incident of harassment, bullying, verbal abuse, psychological abuse, and these things escalate over time in a workplace. At the end, you end up with a violent act.

So the government and the minister have totally ignored all those other stages where significant action can be taken to put a stop to the cycle and prevent the eventuality of the violence from taking place.

They have consciously decided that is not something that they're interested in doing. I say to the government and to the minister, shame on you for not recognizing and acknowledging, not listening—it seems to be a pattern with this government—to the experts, who, one after the other, told them that this bill was lacking in regard to the whole issue of bullying and psychological harassment.

Experts say that some 40% of the workers in this province experience some kind of harassment or violence in the workplace—40%. That's a huge number; that's a frightening number. Maybe that's why the government decided not to include psychological harassment and bullying. Maybe they don't want to see the WSIB claims that may come as a result of having real legislation with teeth.

But the problem is this: As long as we don't have that legislation in place, we don't have that opportunity for people to begin to address violence with what we call “the precautionary principle,” which says you do know that this is coming down the pike because of various behaviours that have been demonstrated. And so if you take into consideration the precautionary principle, then you would be putting in place legislation that is actually effective and that would actually help people to address their bullying situations. It would help people prevent violence from occurring in their workplaces. But the government's obviously not interested in that. They would rather see legislation be passed in this House that is a pale mockery of what needs to be in place in the province of Ontario.

The bottom line is that the deputants were very, very clear that they are not happy with the letter of the law, as has been put forward by this government. I have to tell you, New Democrats did what we thought was the important thing to do, which was hear what the people had to say and bring forward amendments based on their concerns, and we did that.

And this government, instead of listening, instead of paying attention, instead of doing what they needed to do to bring in the best legislation to protect people in the workplace from bullying and harassment, decided to play politics, and like trained seals the members on their committee voted down every single one of the NDP's amendments. That is the shame: Instead of doing what needs to be done to protect workers in workplaces against bullying and violence, this government played politics right up until the very end of this process and ended up, as a result, with a bill that will not do what needs to be done in the province of Ontario.

I say this because I, in fact, brought a bill myself, a couple of times, into this chamber to really deal with harassment and bullying in the workplace. It was Bill 29, and I'm going to talk a little bit about that as well.

When I tabled that bill in the Legislature—you know how it works: You come in and you do your first reading. It's literally just pretty much handing it over to the Speaker and to the table so that it's on the record. It gets numbered and it becomes part of the bills that await debate. I didn't do anything other than bring that bill in. I had some consultation with stakeholders, with unions, with people who were involved in anti-violence, particularly the Lori Dupont inquest action group. I talked to them about the kinds of things they would want to see in legislation, and I drafted my bill based on that. I brought it into the Legislature. I didn't put a press release out when I tabled it. I didn't do anything; I simply tabled the bill.

Within days, I was inundated with e-mails and phone calls—inundated. People in tears telling me their stories about the violence that they had experienced in the workplace, but every one of those people spoke first about harassment and bullying; about how, at the hands of some bully in their workplace, they were diminished, how their experience created such stress and anxiety that they were physically ill, that they had to take time off of work, that their children and their families suffered.

There are some suggestions that 10% of all suicides that occur can be traced back to violence and bullying in the workplace—10% of suicides. One of the deputants suggested that studies are indicating that 30% to 50% of the people who are experiencing these kinds of situations in the workplace are ending up in divorce or severe family problems as a result of that.

It is an epidemic, and it's not just an epidemic in Ontario, it's an epidemic everywhere, which is why really serious legislators in other jurisdictions have done the right thing and have put in legislation with real teeth that provides real opportunities for people to take on bullies in their workplaces. This government has chosen, unfortunately, to do the opposite.

I want to talk a little bit about one of the things that was raised by Lori's mother, Barbara Dupont. I have a tough time even thinking about the strength and courage of that woman over the last couple of years, and the things that she has done with the inquest action group in the Windsor area to try to bring some kind of sanity around the tragedy of her daughter's death. She has been extremely active in trying to get legislation here in the province of Ontario.

Here's what she says about this bill that's before us now. She was asked specifically by, in fact, a Liberal committee member who is in this chamber right now, "Do you feel that Bill 168 does raise awareness for harassment in the workplace?" Here's what she said: "I feel it continues to focus more on physical injury and does not focus enough on the psychological and emotional areas of harassment that lead up to and can lead into physical violence. In Lori's case, there were many

signs and signals, and they gradually escalated over an eight-month period. Harassment needs to be caught when it first starts, so that it doesn't continue to escalate, and I don't think the bill reflects enough the continuum of violence where it starts and gradually seems to escalate." That's Barbara Dupont.

**1620**

I think it's important that I talk a little bit about another courageous family whose member also was killed in the workplace. That's Theresa Vince. She was killed by her supervisor at work. Here's what Catherine Kedziora, the daughter of Theresa Vince, said at the committee hearings: "The violent act of her"—Theresa's—"murder was not where it began; it is where it ended. That is why the definition of 'workplace violence' must be broadened to include not only physical but psychological violence as well.

"In closing, I would like to add one more thing just to give you some food for thought. Had the province, under the previous government, utilized and acted upon what we learned at my mother's inquest, there is a possibility that Lori Dupont would not have lost her life nine years after my mother, in 2005.

"I implore you to get this right," she said. "We need this bill, but we need this bill to be the best possible bill it can be so there is never another Theresa Vince or Lori Dupont. We know what we need to do, and there are no excuses anymore."

I think that says it all. There are no excuses anymore, and the tragedy of this debate today is that this legislation that this minister has brought forward will not do a darned thing to prevent the same kinds of circumstances to occur in a workplace, to escalate in a workplace and to end up in the death of a person in the workplace. Often, those people are women. Those are the people who are being harassed in the workplace, who are being killed, who are being murdered, and this government has the gall to be proud of legislation that will not make one hill of beans of a difference.

We had Theresa Vince's death. We had an inquest. Nothing was done. We had Lori Dupont's death nine years later. We had an inquest. The government decides to do something, but what they've done means that next year, the year after, the year after that or tomorrow the same situation can occur. The exact same thing that happened to Lori Dupont, the exact same thing that happened to Theresa Vince, can still happen in the province of Ontario because this government chose to bring forward a bill that ignores the preponderance of evidence that says that psychological harassment and bullying have to be addressed.

Any effective legislation on violence and harassment in the workplace has to address bullying, has to address psychological harassment. This government has chosen to simply ignore that reality, and I say shame on them.

These are the two families that were most affected by the tragedy of violence in the workplace. But there are other deputants who brought in important pieces as well that I thought I should share with the members here.

Although everybody is going support this bill, my hope is that somebody eventually has the courage to actually do the right thing and increase the protections for workers in the workplace.

The Ontario Coalition of Rape Crisis Centres said this: “It is our view that Bill 168 does not adequately recognize the continuum of violence that can occur and that can most certainly result in physical harm and injury, compromised emotional health and well-being, physical stress-related illness and other stress-related symptoms caused by workplace harassment or the presence of domestic violence that spills into the workplace. We believe that the definition of ‘workplace violence’ needs to be broadened to effectively address not only physical violence”—and it goes on to explain more details around exactly what they wanted.

So what did we New Democrats do? We listened to Barbara Dupont and we listened to Theresa’s daughter, Catherine Kedziora. We put in place, through the committee process, the amendments that would have actually made this bill effective, that would have made it effective in preventing workplace deaths because it would provide the worker—the worker—with the opportunity to refuse to work in a workplace where bullying and psychological harassment are taking place.

But what did the government do? Did they accept those changes? Did they say, “Yes, we really want to get this right. We give a damn about whether or not there’s going to continue to be harassment in the workplace. We’re going to really try to put a stop to bullying that occurs in Ontario and Ontario workplaces”? No. They decided not to do that. They decided to simply ignore the facts; they decided to ignore the experts; they decided to ignore the tragedies of Theresa Vince’s and of Lori Dupont’s deaths.

It’s a sad day when you have to get up in the Legislature and, on the one hand, say, “Yes, we’ll support the bill. We’ll support it because it’s a step in the right direction,” when what we should have been doing is proudly in this chamber getting up and supporting a bill, proudly being able to say that the right thing was being done here. Unfortunately, that’s not the case. That’s not the case at all.

When you look at the impact of bullying, when you look at the impact of psychological harassment—and, you know, the minister got up in his remarks at the beginning and he talked a good talk about all of the statistics. The statistics are real people. And as I said earlier, this problem of bullying and harassment is an epidemic in the province of Ontario. We have examples of stories that people told of their experiences that are absolutely chilling, and I wanted to share one of them with you, if I can find them here, because I think it’s really important to remember that this is not just about statistics. It’s about real people and their real experiences.

Here’s a case study of workplace harassment: He was a former employee of a young offender facility in Thunder Bay. He resigned last year from his 16-year job

as a residential worker, under duress. He discovered after leaving his employer and commencing individual counselling that he was clearly a victim of workplace psychological violence.

In an e-mail to me, he stated that there were many other employees over his 16 years who were humiliated in some way during staff meetings or clearly not supported when they asked for help. “I watched so many employees leave this agency, being thankful that they left such a psychologically abusive environment,” he wrote. “No other employee has dared to step forward for fear of reprisals.”

Speaker, this is the kind of thing that’s happening day in and day out at workplaces around the province, and I have to say it’s not just an impact on the worker himself or herself; it’s an impact on the entire working environment. So you end up with a toxic work environment that then affects all of the workers and affects the families of the workers. It also affects the employer in many ways, because the evidence is very clear that productivity is reduced as workers are not able to cope with this kind of behaviour in the workplace. They become physically ill. They lose their self-confidence, their self-esteem. They take time off just to try to cope with what’s happening to them in their workplace.

This is no way for people to have to experience their workplace. We spend a great deal of time in our workplaces day in and day out, and that’s why this government had an obligation. It had an obligation not only to Theresa and to Lori; it had an obligation instilled upon it, by the inquest into both of those women’s deaths, which said clearly that changes to the Occupational Health and Safety Act needed to be made. So they have made some minor changes, but they haven’t addressed the most important issue, which is the continuum of violence, the fact that harassment and bullying do lead to violent acts.

And so I say to you, New Democrats will support this legislation because it is a step in the right direction, but the government could have taken the leap. They could have taken the leap that would have actually prevented workplace violence and harassment. They could have taken the leap that would have given workers the right to refuse an unsafe work environment. Just like refusing to work near a toxic bin of chemicals, they should be able to refuse to work in a toxic work environment that creates just as much ill health, just as much damage and just as much difficulty. Thank you very much, Speaker. I appreciate the time.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Vic Dhillon:** Thank you very much, Mr. Speaker, for the chance to speak on this bill.

First of all I want to say that during the public hearings I had the chance to meet the daughter of Theresa Vince, and Barbara Dupont, the mother of Lori Dupont. I want to express my sincere thanks for them coming to the committee meetings and telling their very horrific and tragic stories, for which reason we have brought forward this bill, a very necessary bill.



1630

I just want to start off by quoting Barbara Dupont, the mother of Lori Dupont. She said, "It was so important that Lori not be just another statistic. Something positive had to come from this tragedy." That's so very true, which is why, again, we've brought this bill forward.

You may work in a hospital where workers fear being injured by a patient. They may work in a school where they fear being injured by a student or a parent. A worker may work in any workplace where they fear being injured by a co-worker or by a relative or by a complete stranger. This bill before the Legislature would, if passed, apply to all Ontario workplaces currently covered by Ontario's Occupational Health and Safety Act. Again, this bill is being supported by a variety of organizations—just to name a few: the Ontario Catholic teachers' association, the Registered Nurses' Association of Ontario, and the president of the Ontario Federation of Labour. It would apply to possible violence or harassment from any person at a workplace, which would include customers, clients, co-workers, friends, current or former family members—anyone.

As the members of this Legislature may know, the primary purpose of the Occupational Health and Safety Act is to protect workers from hazards in the workplace, including hazards involving workplace violence. All employers have a general duty, under the act, to take every possible reasonable precaution in a given situation to protect their workers. They must also provide information, instruction and supervision to workers to protect their health and safety. The amendments in this bill would enhance and clarify those employer responsibilities as they relate to potential violence in the workplace.

They will also add new requirements for workplace harassment policies and programs. The proposed legislation would do this by adding a new definition of "workplace violence" to the Occupational Health and Safety Act. A definition of "workplace harassment" would also be included, a definition that would cover the broad range of types of harassment, such as psychological, sexual, bullying and intimidation. "Workplace harassment" would mean "engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome."

The proposed legislation would also provide a requirement for employers to:

- prepare policies on workplace violence and workplace harassment and develop programs to implement them;

- provide a requirement for employers to assess the risks of workplace violence and then develop measures to control them;

- provide a requirement for employers to take reasonable precautions to protect a worker at risk of domestic violence if the employer is aware the worker is at risk while at work.

Also, the amendments would provide a requirement for employers and supervisors to alert workers of the risk

of workplace violence if, in the course of their work, the workers may encounter a person with a history of violent behaviour.

This bill would also provide workers with the right to refuse work if they have reason to believe they're at risk of physical injury due to workplace violence, and provide a requirement for employers to notify the workplace joint health and safety committee and others if a worker is injured or needs medical treatment due to workplace violence.

Every worker has the right to return home safe and sound and I firmly believe this legislation will help them to do so.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. John O'Toole:** It's a pleasure this afternoon to rise and respond to Bill 168.

I just want to start—it's always very important to reflect on the history. I'm somewhat disappointed and probably have said this a few times on this bill. I think it's important to look at the history of what it's trying to achieve and how it's setting out to achieve that. If you want to look a little closer, I think if you look back, in 2001 there was a bill passed in this Legislature. That bill was passed and never received royal assent. That has always troubled me, that the bill was passed by the previous government and never received royal assent. What that bill would have done was resolve many of the issues with respect to violence, in the workplace, or out of the workplace, by allowing a restraining order to be issued by a justice of the peace seven days a week, 24 hours a day. I've watched this, because in my experience in my riding representing all of my constituents I've certainly been shocked and saddened by tragedies that could have been prevented. As I said in the committee meetings when Ms. Barbara Dupont, Lori Dupont's mother, was there—I had spoken to her because of the incident with Lori Dupont and felt that that bill again had failed. The government of that day—without the politics—hadn't moved forward.

I had a victim who I have mentioned before, Jennifer Copithorn, who, across the street from my riding office, was stabbed and killed by her estranged boyfriend. I was again saddened because the protections weren't there; again, the evidence was that she had applied for a restraining order as well and was waiting for her day in court.

But let's put the history to this as well. I introduced a bill—most people would know—Bill 10. Here it is. It was a replication of Bill 117, and it was called the Lori Dupont Act: An Act, in memory of Lori Dupont, to better protect victims of domestic violence. This is the bill. This bill was presented here in the House and debated here in the House. I had been in touch with the Dupont family and others, I should say; without trying to be any more—I was just trying to facilitate the justice of it all, or injustice in the case of the government's lack of action. Bill 10 got stalled. We'll leave it at that.

Somehow or other, somebody's pulling the strings here. It certainly isn't Minister Fonseca, the nice fellow

that he is, and that isn't my intent here at all. I really feel, though, that he didn't get it done; let's put it at that. I'm still not sure he's getting it done, because now we're on—I want to mention one more thing. I want to give respect to Andrea Horwath as well, because Andrea had Bill 29 introduced on December 13, 2007, and Ms. Horwath's bill was addressing the same issue in 2007. Here it is, two years later, December 13; almost to the day two years later, and they still haven't actually done anything.

I may seek unanimous consent to extend my time because I have to present a more thorough argument here, so here's the issue.

*Interjections.*

**Mr. John O'Toole:** I seek unanimous consent. Mr. Speaker, are you paying attention? I want to seek unanimous consent to extend my time so I can read a two-page brief from a law office.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. O'Toole is seeking unanimous consent to extend his time. Everyone agree? I heard a no.

**Mr. John O'Toole:** Stifled again, but I will, with all expedience, try to put this article—quite an important article—on the record. I want to recognize the authors from the firm McCarthy Tétrault, and they are Daniel Pugen and Ben Ratelband.

Here's the real issue. They've summarized this so wonderfully that I think it needs to be respected, but when I read through this after listening to the bill, participating in the hearings and reflecting on the bill, which I have here—and Minister Fonseca didn't write this. The civil servants—he just read the speech. Let's get real here. It's how it actually works.

“The main features of Bill 168 are summarized below:

“Definitions of workplace violence”—and it starts here.

*Interjections.*

**Mr. John O'Toole:** We need silence. I'm sorry. We need silence here.

“‘Workplace harassment’ means engaging in a course of vexatious comments or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.” This is fairly standard text; boilerplate.

“‘Workplace violence’ means (a) the exercise of physical force by a person against a worker in a workplace that causes, or could cause, physical injury to the worker; and/or (b) an attempt to exercise physical force against a worker in a workplace that could cause physical injury to the worker.”

Quite understandable. What is notable about the definition is that it only deals with physical harm or injury. That is a very, very ineffective definition.

*Interjection.*

1640

**Mr. John O'Toole:** Give your voice a rest. David Caplan is making accusations, and he, of all people, who is being accused by this House—

**The Deputy Speaker (Mr. Bruce Crozier):** The member from Durham, take your seat for a second. You know that you are to refer to other members of the Legislature by their riding, please..

**Mr. John O'Toole:** Anyway, I would say also that these are the implications for the employer. In most cases that's the problem here. They're shuffling off the responsibility to the employer:

“One aspect of Bill 168 that may prove contentious is the obligation on employers and supervisors”—this is very important, and the implications here are extremely important about how this bill actually works—“to provide information, including personal information, to a worker about a person with a ‘history of violent behaviour’ if ‘the worker could be expected to encounter that person in the course of his/her work; and there is a risk of workplace violence likely to expose the worker to physical injury.’”

That's a pretty overarching assumption and implication for the employer when it comes to the liability of the issue that we're dealing with.

Mr. Klees from Newmarket–Aurora—it should be looked up—made a very important plea the other day with respect to a father who had written to him about his daughter, who was killed in the workplace by a co-worker, and the implication is that the worker ought to have known. Then you get into the duty-to-disclose provisions under the law itself, and whether or not the duty to disclose personal information—to whom?

Under privacy rules—if the minister knows the rules—there's a fiduciary responsibility of what to disclose to whom under freedom of information; it's a very controversial issue of law. But here's my point: They're forcing the employer, who could be stating information that may or may not be true or implying information, when in fact they're only talking in the bill about physical harm, not emotional harm.

Threats and intimidations aren't physical harm; they're emotional implications of bullying, really. That's often the primary manifestation of harassment itself. I'm so disappointed at the lack of content in the bill. It's disappointing. It does not achieve what it was intended to achieve. If you really want to do the law here, we support strengthening, either through the employment standards or, for this matter, through this bill here, which is an Act to amend the Occupational Health and Safety Act.

I personally feel that if this was tested—you would find that they didn't respect my Bill 10, they didn't respect Andrea Horwath's Bill 29—it won't respect the rights of the worker in the workplace, who ought to have known or should be informed about a co-worker who may be involved in domestic violence or other forms of violence that could play itself out in the workplace.

If you read this legal paper on it—and I'm pleased to share it with the minister, because I'm sure he hasn't had any objective legal advice.

*Interjection.*

**Mr. John O'Toole:** The minister is replying, and I commend this to his reading, because I'm not an expert either. But I want to get the bill right.

The problem here is, it's the night before Christmas when all through the House nothing is being done, except to rush stuff through without proper consultation. If I was more of a poet, I could make something reasonably humorous about that.

Bill 168 contains no guidance on who would be a person with a history of violent behaviour. However, it is interesting to note that the person must have a history of violent behaviour and not necessarily harassment behaviour. This is the primary trigger of what happens; it's fooling, joking, cajoling, whatever, in the workplace. It often starts off with just fooling around—or at least that's how people may interpret it—and ends up in very tragic circumstances.

Work refusal is addressed as well. What should employers do? Here are some of the implications for employers. I should say that the paper I have cited here is from McCarthy Tétrault. It's an article detailing in respect of Bill 168, and I commend to it your reading, because they won't give me more time to expose the virtues of our observations. I'm so disappointed—I'm almost brought to tears—because the clock has run completely out.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

Pursuant to the order of House dated December 8, 2009, I am now required to put the question.

Mr. Fonseca has moved third reading of Bill 168, An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters.

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

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1646 to 1651.*

**The Deputy Speaker (Mr. Bruce Crozier):** All those in favour will please stand one at a time and be recognized by the Clerk.

#### Ayes

|                       |                     |                     |
|-----------------------|---------------------|---------------------|
| Albanese, Laura       | Hoskins, Eric       | Munro, Julia        |
| Arnott, Ted           | Jaczek, Helena      | Naqvi, Yasir        |
| Arthurs, Wayne        | Jeffrey, Linda      | O'Toole, John       |
| Balkissoon, Bas       | Johnson, Rick       | Oraziotti, David    |
| Berardinetti, Lorenzo | Jones, Sylvia       | Ouellette, Jerry J. |
| Bisson, Gilles        | Klees, Frank        | Pendergast, Leeanna |
| Broten, Laurel C.     | Lalonde, Jean-Marc  | Phillips, Gerry     |
| Brown, Michael A.     | Leal, Jeff          | Prue, Michael       |
| Caplan, David         | Levac, Dave         | Rinaldi, Lou        |
| Carroll, Aileen       | MacLeod, Lisa       | Runciman, Robert W. |
| Chudleigh, Ted        | Mangat, Amrit       | Ruprecht, Tony      |
| Colle, Mike           | Marchese, Rosario   | Sandals, Liz        |
| Dhillon, Vic          | Martiniuk, Gerry    | Savoline, Joyce     |
| Dickson, Joe          | Mauro, Bill         | Sergio, Mario       |
| DiNovo, Cheri         | McMeekin, Ted       | Smith, Monique      |
| Duguid, Brad          | McNeely, Phil       | Sousa, Charles      |
| Elliott, Christine    | Meilleur, Madeleine | Tabuns, Peter       |
| Flynn, Kevin Daniel   | Miller, Norm        | Van Bommel, Maria   |
| Fonseca, Peter        | Miller, Paul        | Wilkinson, John     |
| Hampton, Howard       | Milloy, John        | Witmer, Elizabeth   |
| Hardeman, Ernie       | Mitchell, Carol     | Yakabuski, John     |
| Horwath, Andrea       | Moridi, Reza        | Zimmer, David       |

**The Deputy Speaker (Mr. Bruce Crozier):** All those opposed, please stand one at a time and be recognized by the Clerk.

**The Clerk of the Assembly (Ms. Deborah Deller):** The ayes are 66; the nays are 0.

**The Deputy Speaker (Mr. Bruce Crozier):** I declare the motion carried.

Be it resolved that the bill do now pass and be named as in the motion.

*Third reading agreed to.*

#### EMPLOYMENT PROTECTION FOR FOREIGN NATIONALS ACT (LIVE-IN CAREGIVERS AND OTHERS), 2009

#### LOI DE 2009 SUR LA PROTECTION DES ÉTRANGERS DANS LE CADRE DE L'EMPLOI (AIDES FAMILIAUX ET AUTRES)

Mr. Fonseca moved third reading of the following bill:

Bill 210, An Act to protect foreign nationals employed as live-in caregivers and in other prescribed employment and to amend the Employment Standards Act, 2000 /  
Projet de loi 210, Loi visant à protéger les étrangers employés comme aides familiaux et dans d'autres emplois prescrits et modifiant la Loi de 2000 sur les normes d'emploi.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Fonseca.

**Hon. Peter Fonseca:** I rise today on third reading of legislation that will protect some of the most vulnerable workers in our province: foreign nationals who work as live-in caregivers.

Our government has moved forward to fill and meet a pressing human need. We're acting to ensure that these women and men, who are at risk of serious exploitation, receive the protections they need and deserve. Our government has responded quickly and, at the same time, carefully and responsibly to ensure that these very vulnerable workers receive the protections they should have. This legislation, if passed, is about fairness, but it's also about compassion. Respect for the dignity and worth of others is one of the core things of this bill.

Many in this House have heard about and read reports of exploitation of employees who are part of the federal live-in caregiver program. Many in this House have been tremendous champions for live-in caregivers and vulnerable workers. The member for Eglinton–Lawrence has stood up for these vulnerable workers and met and consulted with them. We have former Minister of Labour Brad Duguid, the member for Scarborough Centre, who has been another champion for this cause.

I had the opportunity yesterday of meeting with the Consul General of the Philippines, Alejandro Mosquera, and his colleague Frank Luna. We speak highly of these two individuals. I want to thank my parliamentary

assistant for the work he has done on the consultation to get us to where we are today.

There have been just concerns raised about exorbitant job placement fees charged to live-in caregivers. There have also been reports of instances in which some recruiters and employers have withheld passports and other personal documents of these workers. The irony is that these very employees devote their lives to caring for our most vulnerable loved ones: our children, our seniors and the disabled. This bill seeks to protect those who protect and nurture others every day of their working lives. They care for our loved ones who cannot care for themselves.

The protections this bill would provide were arrived at after consultations that were held this past summer with stakeholders. After receiving public input, these consultations helped identify and clarify the problem and told us where it was and who was affected, and informed the legislation that we introduced and are debating at third reading here today. My parliamentary assistant was part of those consultations and heard first-hand those accounts that make this legislation necessary.

In those consultations, we heard reports of exploitation and suffering that took place as a result. No one in this province should have to endure the conditions that were described to us. During the consultations preceding introduction of this legislation, we heard an all-too-common scenario of those expecting a job under the federal live-in caregiver program.

A nanny would come to Ontario with the work permit to work for a specific person named in the employment offer. If the nanny arrives in Ontario now and the employment situation doesn't work out or is not the situation originally promised, the nanny can't work legally until she has a new work permit that names a new employer. Until she gets that permit, a nanny will often be forced to work in violation of the terms of the program. I brought this up with the federal Minister of Citizenship and Immigration. This needs to be changed. Once she does that, she will often be told she is now illegal and must do whatever her employer tells her to do, for whatever wage her employer decides to give her. This is wrong. If she protests that employer and asserts her rights, she is threatened with deportation.

We are going to ban fees to nannies, we are going to increase enforcement and we are going to stiffen penalties up to \$50,000 for violators and—the only jurisdiction in all Canada—up to 12 months of jail time. This is the right thing to do.

**1700**

I want to thank all those who have been a part of shaping this legislation that will help us protect the most vulnerable workers in our province.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Norm Miller:** It's my pleasure to have a few minutes to make some comments to do with Bill 210, An Act to protect foreign nationals employed as live-in caregivers and in other prescribed employment and to amend the Employment Standards Act, 2000.

I came relatively late to this bill. I'm filling in for the member from Lanark–Frontenac–Lennox and Addington, who will not be in the House for the foreseeable future. I had the pleasure, though, of attending the public hearings and listening to the comments of people affected by the bill. The bill was time-allocated, as so many pieces of legislation that are passing through in recent days have been, so there wasn't a lot of time for various groups to make their views known. But we heard from caregivers, we heard from agencies, we heard from legal services, we heard from consulting services. Certainly, one of the things I learned from sitting through the public hearings is that there are some very legitimate businesses out there that are providing opportunities for foreign caregivers and providing great services for families that need caregivers in the province of Ontario. They made presentations, but unfortunately the government didn't listen to their perspective.

The PC Party did listen to their presentations, and we put forward a number of amendments to protect caregivers and also to keep those legitimate businesses that are doing a good job—so that they can stay in business and provide opportunities for caregivers and provide caregivers for families that need them.

Unfortunately, as I say, the government did not listen. I think they're more concerned with just reacting to one situation, having the optics of having done something, and in the process, they're rushing legislation through—and it's bad legislation.

Unfortunately, we will not be able to support this legislation because of the way the government did not listen to the people who came before committee.

For example, one of the companies that came before us was Select Nannies, Eva Knof. She wrote to me after the committees had occurred, on December 5. She said:

“Dear Mr. Miller,

“I would like to thank you for giving me and my colleagues an opportunity to speak and address our concerns regarding Bill 210. It is clear to me that each one of us in the room Wednesday shared the same goal, which is to protect the caregivers and put an end once and for all to the horrible stories we heard.

“However, in order to put efficient safety nets in place, one must understand the intricate details of the industry”—and this is where the expertise of the experienced stakeholders comes into play. “It is very easy to say ‘ban all fees’ and hope that things fall into place and the bad guys go away. However, such well-intended actions will have detrimental effects on reputable agencies who offer genuine and beneficial services to the caregivers.

“From the questions asked Wednesday, it was clear that several important facts were not well understood. There seemed to be confusion about the total cost of executing placements. As you heard, it takes 51 work hours per placement, plus the cost of office overhead, if the placement is done correctly. Typically the ethical overseas agents charge between \$2,500 and \$4,000 to the caregivers, whereas rogue agents charge up to \$10,000.

An immigration consultant charges anywhere between \$1,500 to \$2,500 per work permit, which is the norm in the industry. The fees by the Canadian agents to families vary greatly, with some not charging a fee at all”—and this should be eliminated with Bill 210—“while the well-known agencies charge anywhere between \$700 and \$2,000 per placement.

“Here is the missing link that is so critical for you to understand: There are ethical recruitment agencies overseas that are licensed by their government to recruit live-in caregivers and are indispensable to the Canadian agencies.

“Here are the actual, verifiable monthly overhead costs for running a licensed recruitment agency in Taiwan:

—advertising in two major newspapers: \$700;

—radio ads to reach caregivers in rural areas, who are 90% of the applicants: \$2,000;

—Taiwan law requires that a licensed recruitment agency has at least three licensed immigration specialists on staff and guarantees their salary regardless of their workload. Annual licence fee: \$1,500;

—the agency is required to have a CEO who must be a Taiwanese citizen and reside in the region, with a salary which is double the going minimum wage: \$1,300;

—office staff at a minimum wage salary plus commission: \$2,000;

—office expenses, phone, Internet, security, rent, building service fee: \$2,500.

“In addition to the above, each licensed agency must post a bond of \$50,000 and have a registered, paid out capital of \$120,000. This is the minimum cash amount they must have sitting in their bank account to show that they have enough money for operating costs. This totals \$9,325 monthly, which is only achievable by those who turn over large volumes of applicants. It obviously becomes impossible with Bill 210.

“Keep in mind that these legitimate agencies must compete with the rogue recruiters who are walking the streets, signing up new caregivers every day for outrageous fees, for big promises, and only have the cost of their cellphones as their overhead. These guys will not go away with Bill 210, only the ethical agencies will.”

So the effect of this bill, which is well-intentioned, is to put the legitimate operators out of business and leave the rogue operators there to do their business. It will actually make the situation worse.

Back to the letter: “Now that you better understand these facts about ethical recruiters, I beg you to reconsider the consequences of Bill 210. The Canadian agents were telling you over and over on Wednesday that they will not be able to survive on fees to families alone. You’ve heard from hundreds of families by e-mail that they are not willing or able to pay higher fees.”

If I can interrupt the letter again, I would agree with the e-mail, in that I received over 200 e-mails from individual families concerned about the effects of Bill 210.

“If ethical agencies close their doors, the results will be catastrophic. The caregivers will no longer be pre-

screened and will be scooped up by unsuspecting families hiring via direct hire through the Internet or from unscrupulous agents.

“The biggest issue lies in the fact that unscreened, unreferenced caregivers will be arriving into Canada to look after Canadian children and putting them at risk. It is criminal to protect foreign nationals while putting Canadian lives at risk. These unscreened caregivers will be arriving to look after newborn babies in remote towns of Ontario, only to be released upon arrival because they do not have any knowledge of hand washing or food safety preparations. Canadian children will be at risk if caregivers cannot swim after they assured their Canadian employers over the phone that they are great swimmers. Our elderly will be at risk because the caregivers will not have any basic first aid training and will not even know how to call 911. Our children will be at risk because they will be left unattended by their caregivers, who can walk out the door without any consequences. Isn’t it the responsibility of the Canadian government to ensure the safety of Canadians first and foremost? The system is failing Canadians and it is up to you to step up to the plate.

“There is one final issue that needs to be addressed as a result of Wednesday’s testimonials of caregivers. We all sympathize with those who are abused by the system and we are undeniably on their side, but the picture that was painted Wednesday was not characteristic of the real numbers. I invite you to bring forward 10 randomly selected caregivers who have arrived in Canada under the LCP and see what the real statistics are. I suspect that only one will come forward, and most likely because of a minor complaint. I invite you to ask the ethical agencies and see what their success rates are. I suspect you will be pleasantly surprised.

“Caregivers who are deemed not placeable by legitimate agencies because of either gender or poor communication skills are offered big promises for big money. Too many times I’ve seen caregivers appear on other agencies’ websites after I already deemed them unplaceable or even unqualified.

“It is also important to differentiate the recruiter of foreign live-in caregivers from a headhunter for corporate positions, where the employer is willing to pay anywhere from \$5,000 to \$25,000 in commission fees to the headhunter, therefore the client does not have to pay any fees. The fees should be a cost-sharing arrangement. Today, in many cases, the caregiver pays 100% of the fees and Bill 210 believes it should be 100% the employer.

#### 1710

“It is our recommendation that the employer should pay for the fees related to services that identify the right candidate for them; an application, i.e., recruitment fees; and LMO application. The caregiver should be responsible for paying for programs to improve her skills and help her with the immigration process, to make sure no mistakes are made.

“I urge you to rethink your plan for Bill 210 and help bring forward a bill that we can all be proud of.”

That was from Eva Knof, a certified Canadian immigration consultant and director of Select Nannies Inc. of Niagara Falls.

I think she makes a lot of excellent points about how legitimate businesses will be very negatively affected by this bill. The effect will be that rogue operators, those that aren't going to give a hoot about Bill 210, will continue to operate and charge outrageous fees, but we're going to lose all sorts of parts of the system that did protect the live-in caregivers.

When a number of these groups came before the committee, I said that the best testimonial would be from those people who have used their services. So I'd just like to read into the record some of the testimonials from caregivers and from families, because I think that word-of-mouth advertising is best. When you get all kinds of people using your service and referring other people—both caregivers and families—that says a lot about the way you're operating your business.

From caregivers: "I'm glad that I know you, not just as my agency but also as a friend of ours. You are one of the best people I know. I'm so grateful to have Shelley and the kids. I can't think of a better place, better family or better situation than this. Thanks a lot. Keep up the good work to help more people like me. Stay as you are, because I know your company will be successful"—from a caregiver. I will omit the names.

Another one: "A million thanks for helping. You're always ready for me. I love you."

Another one: "I really appreciate every help you gave me. Without you, I wouldn't have an employer like Bonnie, and I'm very happy working for her family. Thank you very much. May God bless you, and more power to your business."

"Eva,

"I can't thank you enough. You are such a wonderful person, with a very kind heart. I'm very grateful that I met you."

"Eva,

"First I'd like to thank you a million times for giving me your helping hand in times of need. If it's not for you, I'll probably be wandering somewhere. You always will be remembered. God bless."

It goes on and on and on. I have pages of testimonials, and I think that says a lot. Word-of-mouth advertising is the best kind. That's from people who received the services, the caregivers working through legitimate agencies.

Just a couple of examples from families, because I think the member from Kitchener–Waterloo would also like to speak to this in a few minutes:

"Thank you so much for all your ongoing support. It is of tremendous value. I have recommended Select Nannies to six other people in the last year. You are becoming a very popular person within my circle of friends: highly motivated senior executive women who are having children later in life. Our caregiver is doing very well. We are thrilled with our selection and continue to appreciate her each day. In February she will be

applying for permanent residency and we hope she will continue on with us for many years to come. All the best."

"Hi, Eva,

"A note to let you know that we are overjoyed with"—I omit the name—"performance so far. Our son is smitten and the floor is cleaner than it has been in the history of the floor. Happy New Year."

"Thanks, Eva. Doris has been so fabulous. We are not sure how we ever managed without her. She has fit right in with our family. The boys adore her and she has quickly made friends that she spends her weekends with. Her reaction to her first snowfall was funny. We are taking her with us skiing next month. Life is great. Thanks again."

Once again, pages and pages of testimonials from families that have taken advantage of these legitimate businesses.

Unfortunately, as I say, as well-intentioned as the government may be, it seems they're more interested in the spin than in actually trying to get good legislation, so they've rushed the legislation through. They've time-allocated it, as just about every other bill has been time-allocated. They've neglected to listen to the groups that came before the committee; for example, Tax4Nanny, an accounting service that I think was recommending an online registry service and better paper trails that would assist caregivers to follow up on other steps in the process, in most cases, of wanting to become landed immigrants and moving on to full citizenship.

From those submissions, we made many different recommendations in the way of amendments at committee. Unfortunately, as has been almost always the case lately, the government voted down every single amendment and didn't bother to listen to the groups that came before the committee.

I will leave some time for other members in our party to speak to this bill. Just to say that I'm disappointed, because this is another example where the government is negatively affecting good businesses in the province of Ontario. It will affect jobs, it will affect families, and that's very unfortunate. So I will be voting against this bill.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate.

**Ms. Cheri DiNovo:** It's an honour to rise, and to rise on behalf of one of the more exploited groups in Ontario, and that is the live-in caregiver. Certainly, I can't imagine a more vulnerable group of workers. I mean, think about it. Imagine that you are a Filipino woman, and you just want to come to Canada, you want to establish yourself, get your citizenship, and send some money back home, which is the case for many, many foreign-trained live-in caregivers. So you go to a recruiter over there, and maybe over there or maybe here you're charged anywhere up to \$10,000. Now, imagine what \$10,000 means to somebody who earns money in the Philippines. So, immediately, you've invested most likely not only your entire life savings, but most of your family's as well

just to get you here. Then when you get here, you're placed in a household where, first of all, nobody knows where you are—that's vulnerability in and of itself. There's no licensing system, so nobody knows that you're even in the household, except perhaps the agency that recruited you overseas or maybe helped you over here. And quite frankly, as soon as the fee is paid, their obligation is fulfilled—they're gone.

So here you are. You don't know your rights. You don't know the Ontario employment standards. You don't know that you only need to work 40 hours a week. So you find yourself in, say, something like the Dhalla household, where you're not only worked over 40 hours a week, you have to shine shoes, clean floors and work in the chiropractic office, as well as take care of folk. Those are the lucky ones, quite frankly. Then there are those, and we heard deputations from such individuals, who are promised positions overseas, pay the \$10,000, come through the recruitment process here and find that there's no job, there's no job at all. So they're here stranded with no immigration status. Then, of course, they're subject to every vulture that's available.

We heard testimony from one young man which was truly hair-raising. What did he do? Again, he paid the \$10,000 to some recruiter overseas, came to Toronto and was told, "There's no job. Sorry." At that point, all of a sudden, the recruiter said, "Well, there might be something." You know, he shuffles through his papers and says, "Hey, you know, there's no job caregiving; they don't want a man"—again, breaking every employment standard rule in the book—"but there is drywalling. You can get a job drywalling underground and be paid less than minimum wage"—I think he was being paid \$7.30 an hour to drywall. Again, his immigration status is gone—he has none, at this point. These were the stories we heard, and we heard one after the other after the other.

Before I begin, I just want to highlight some of the folk who really did the work that went into this bill and, unfortunately, whose amendments we brought forward in the New Democratic Party that were one after the other voted down by this government. I am going to go through every single amendment that they wanted passed and every single amendment that this Liberal government voted down in recorded votes. Some of the members come from ridings where there are large Filipino communities: They voted these amendments down. I'm going to let you know which members those were, too.

First of all, Pura Velasco, the organizer for the Caregivers' Action Centre: a phenomenal woman, a woman to be commended. It was really her work that helped bring about this.

Parkdale Community Legal Services: I'm so proud that they're in my riding. Mary Gellatly came and testified about about the horror stories they hear in their legal aid clinic.

We had the Workers' Action Centre and Deena Ladd, the coordinator there. Deena is a very familiar face around these parts—a phenomenal worker on behalf of workers.

Justicia for Migrant Workers: They came and talked about the other foreign workers that aren't covered at all by this bill—another amendment the government voted down. I'll speak about that in a minute, as well.

**1720**

The Caregiver Resource Centre gave really moving testimony about the folk they represent.

Filipino-Canadian Community House was profoundly moving on behalf of their members—just a few.

Also, we heard from CAW and some of the unions that made representations because, again, they're concerned about workers' rights.

To the amendments, and here's what's so sad, here's what's absolutely so crushingly depressing: These folk, who have been through so much already, been abused and exploited to the nth degree, who finally, they hoped, got the government's ear with Bill 210, who take the time to come and depute and suggest amendments, every single one of their suggestions was voted down by the government that need not have had deputations at all, because they didn't listen to anybody. They didn't heed any of those people who this bill is supposed to help—not one of their almost 20 amendments.

First of all, a very obvious amendment: Justicia for Migrant Workers, also Workers' Action Centre and all of the groups came and wanted this bill extended to cover foreign-trained workers in our province. Here was a golden opportunity for this government, this Minister of Labour, to actually act for all foreign-trained workers who are here, most of them with very dubious immigration status. That young man, for example, that I told you about, who came over being promised a caretaker's job and ended up doing drywall in the underground economy, will never ever see immigration status doing that. Remember, they have to work for two years here—two years—an extremely vulnerable situation, particularly where they have employers holding their passports and breaking every ESA standard in the book, very vulnerable workers who don't know their rights. This man who ended up doing drywall would not be covered by Bill 210, an obvious loophole, something we thought should be closed. CAW asked for it, Workers' Action asked for it, and many others asked for it. Every single Liberal voted against extending this bill to foreign-trained workers other than live-in caregivers. Those were amendments numbers 1 and 2.

Then we move along to licensing. Whoa, licensing. Imagine that, to ask a business to have a licence; that's revolutionary. I can't imagine it. A business have a licence? You know, before Mike Harris changed the rules for agencies—I know; I used to have one—everyone had to have a licence and had to be bonded, and you couldn't charge applicants any fees. Imagine that. Mike Harris came and changed all that. One would think the Liberals would act to undo what Mike Harris had done, but no, no. Just about every single deputant came and asked for the licensing of recruitment agencies and the posting of bonds. Even the recruitment agencies asked for the licensing of recruitment agencies. Deputants on both

sides of the issue asked for this one thing. Guess what? On recorded votes, every Liberal voted against licensing. My goodness. You pay a little money, you get a certificate, you hang it on your wall and you post a bond.

**Mr. Rosario Marchese:** And you know where people are.

**Ms. Cheri DiNovo:** We're coming to that. Mr. Marchese talks about knowing where people are, another amendment voted against. I'm getting to that.

Knowing where people are: In Manitoba for example, if you are an employer and you want a live-in caregiver, you have to be licensed. You have to register somewhere. Somebody has to know where you are and where the live-in caregiver is. Surely that is safety 101—surely. How can this bill even have impact if we don't know where the live-in caregivers are? Imagine the vulnerability. Here you have a person, far from their own home, far from their own land, who doesn't know the rules of this land, totally at the mercy of their employer, in their employer's house. I cannot imagine a more vulnerable situation. Can you, member from Trinity-Spadina?

**Mr. Rosario Marchese:** No.

**Ms. Cheri DiNovo:** He can't either. Neither can the caregivers.

They have it in Manitoba. Did we get it here? No, we did not, even though it was asked for by all the deputants on behalf of the caregivers who came forward demanding that amendment. When I was briefed by government staff, they said, "There are too many in Ontario. We couldn't keep track." I thought we lived in the age of computers. How difficult is it to keep track of the number of foreign-trained caregivers who come here? The federal government does, presumably. Why can't we? We can't. It's too much work. It's too difficult to really look after the safety of live-in caregivers.

Moving right along: liability, my friends. We asked, and so did every deputant who came on behalf of live-in caregivers, for joint and several liability, including employers. Why? Because the gist of Bill 210 is to be able to collect the now hopefully illegal fees charged to nannies when they come. Right? The question is, how do you collect such fees? Well, guess what? If the recruitment agency is overseas, if recruitment agency 12345 Ltd. goes out of business as soon as a claim comes against it—believe me, the fly-by-night agencies will; remember, they're not licensed and they're not bonded, so they will be gone before they pay any liability claim—how does the caregiver collect? Unless they can go after the employer, there's nobody left. They're the only ones left. That's why it's so critical.

In fact, we heard it from some of the legitimate recruiters, and I'll talk about them in a minute. They said, "You know, this will just drive business overseas. It will drive business underground and overseas." Well, guess what? That business that is driven overseas and underground is gone the minute any liability claim happens against them. In fact, how would we even collect? How would the live-in caregiver even collect if the agency is in the Philippines or in Hong Kong or somewhere else?

There's no way we have of collecting that money. This bill does not address that. Liberals, again, voted against it to a person, a recorded vote. By the way, every person who comes from that community—and I'm talking here mainly and mostly Filipino because mainly and mostly the live-in caregivers are Filipino in this town—I really challenge you, watch where your member voted on these issues. Hold your member's feet to the fire. Look at those recorded votes and really think about that come 2011.

What else?

**Mr. Rosario Marchese:** I've got to vote for this bill? Come on.

**Ms. Cheri DiNovo:** Exactly. It's sad. It truly is sad. A simple amendment—here's how political and not compassionate this government is. They even voted against an amendment suggested by one of the recruitment agencies—a couple of them, actually—that employers be forced to keep records. Whoa. That's revolutionary. Keep records of hours, vacation pay, pay, things that you remit for taxes.

**Hon. Peter Fonseca:** That's in the legislation.

**Ms. Cheri DiNovo:** No, it's not specifically in the legislation. The Minister of Labour says it's in the legislation and I say no, it's not. He thinks it's covered. It's not.

**Hon. Peter Fonseca:** It is.

**Ms. Cheri DiNovo:** It's not. Anyway, we can talk about it.

**Mr. Rosario Marchese:** But even if he thinks it's redundant, he could have supported it.

**Ms. Cheri DiNovo:** No, it's too political. To support any amendments suggested by the caregivers or the organizations representing them is too political.

The really sad aspect of this is that here was a moment in time that's not going to come again very soon. Like the bill that we just heard our leader, Andrea Horwath, speak about, Bill 168, here is another instance where we opened up an act to make a difference. We could have done it right. We could have done it in a way that would have protected Ruby Dhalla's nannies. We could have done it in a way that would protect all caregivers across Ontario, but we did not.

Another amendment voted down that would have corrected an egregious situation was the length of time a nanny has to actually get redress by this government or by the Ministry of Labour. Well, guess what? This bill says three and a half years. Employment standards doesn't, though. And guess what? Employment standards legislation problems are also covered here. So you're saying to a nanny that you can get her fee back, maybe—maybe. It's chancy—not looking good to get your fee back. But at least there's the opportunity to get your fee back for a number of years.

**1730**

But you want to complain against your employer for employment standards grievances?

**Mr. Rosario Marchese:** Good luck.

**Ms. Cheri DiNovo:** Good luck. You're out of luck. You are out of luck. And judging by the number of



places of employment that are ever inspected—1% in Ontario—I don't think people will be knocking on your door or my door any time soon if we have a live-in caregiver. I don't think that's going to happen any time soon.

This isn't even touching—this is the sad reality—the problems with employment standards. This is simply looking at the most exploited, most vulnerable sector of our workforce and just trying to allow them to do something.

I'm not even going to talk about the fact that nannies aren't allowed to unionize. They're not allowed to—by law. The most vulnerable sector not allowed to unionize—by law. That in itself should make us think twice—the most vulnerable sector. What did the government tell us when I asked them about that? They said, “Oh, well, they're isolated.” That's what I got: “They're isolated.” Please. That's why they need to unionize: They're isolated.

You've got the groups already. We've got Caregivers' Action Centre; we've got the Filipino-Canadian community. Any of these groups could act as an organizing vehicle. In fact, I know that there are some unions that are trying to organize nannies and would love to organize nannies. But, “No, no, no, they're too isolated.” In fact, the government is saying they're too vulnerable, too exploited, too isolated, so they don't need a union.

The sad reality of Pura and all those who have worked so hard is that again we have a typical Liberal bill. It promises a lot and it delivers not much. Right? Not much. You ask for a mile and you get a centimetre—you get a centimetre.

I'm so tired of saying that in this House; I can't tell you. I'm tired of saying that. Are you tired of saying this? Don't you wish that just once they would listen—this is the operative word here, “listen”—to the stakeholders, listen to the deputants. Why do we have deputations if you don't listen to the deputants? Just once, listen to the deputants.

Quite frankly, we, the New Democratic Party, did not bring these amendments forward because we thought they were cute or we wanted to look good in front of the cameras—no cameras, by the way. We brought these forward because these were amendments suggested by the stakeholders, by the deputants, by those most-vulnerable people affected by this bill. That's why we brought them forward.

Just like in Bill 168, “No. No. No. No. No.,” say the Liberals to Pura Velasco; say the Liberals to the Workers' Action Centre; say the Liberals to Justicia for Migrant Workers; say the Liberals to Parkdale Community Legal Services; say the Liberals to the CAW. They said no to the CAW. They say no to them all. “You're too isolated. Sorry, you can't form a union. You're too isolated, too vulnerable. Sorry, we won't uphold your employment standards rules and regulations. You're too vulnerable, too isolated. Sorry, we won't make your employer liable for your fee.”

By the way, just in the couple of minutes I've got left, the recruiters complaining about not being able to charge

fees to applicants: Please, please, please. Crocodile tears. My goodness, a family cannot come up with \$6,000 to hire a live-in caregiver? Then you can't afford to have one. End of story. You can't afford to have one. And many can't. Why? Because the bigger story behind this is that we have no child care in the province of Ontario—we have no child care. That's why we're even discussing this bill. If we had quality, affordable child care, parents wouldn't be driven to use these recruitment agencies to find these nannies. That wouldn't be the case. They are, it is, and unfortunately here we are talking about Bill 210.

All I can ask, all I can hope for is that despite this bill, despite what this bill could have been to defend nannies and foreign-trained workers in this province—despite all that, we, with hung heads, with exhaustion over here in the New Democratic Party, will vote yet again for yet another substandard Liberal bill that could have been so much more and should have been so much more.

The final question I'll leave with the government, because I'm just interested and I've been asked by the caregivers' associations, is, what's happening with the Ruby Dhalla case anyway? Isn't this Minister of Labour supposed to be investigating that? I'd like to know what the answer is. Where are they at with those two nannies?

Will we support this bill? Yes, we will. Are we happy about this bill? No, we're not. No, we're not, because it does not satisfy any of the deputants and in particular does not satisfy the deputants who needed it most: the most vulnerable workers in Ontario.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

**Mr. Vic Dhillon:** It's a pleasure to rise and speak on the occasion of this bill's third reading.

Before I begin, I want to thank Cara O'Hagan, of the Ministry of Labour, for all her hard work in putting this bill together and leading it through the consultations as well as the committee hearings.

This legislation will make a real difference to vulnerable employees facing real and difficult circumstances. It will protect those in our province who have been subject to abuse and exploitation.

We recognize that protection for these vulnerable employees requires more than just a complaints process; it will rely on strong and proactive enforcement. The bill would have new enforcement provisions that would allow employment standards officers to require parties to attend fact-finding meetings on the basis of tips, without waiting for a complaint to come forward.

The bill also has provisions that would allow employment standards officers to use search warrants more effectively. In particular, employment standards officers could apply to a justice of the peace for a search warrant that would allow the officers to obtain passports or other personal documents that may have obtained illegally.

I want to clarify something, and that is that the inspection and investigation powers in this act mirror the powers set out in the Employment Standards Act, 2000. Under the ESA, an employment standards officer would

not be able to enter and inspect a dwelling without a search warrant or the consent of the occupier.

The Ministry of Labour would continue education and outreach activities to assist foreign live-in caregivers. As I have said, the ministry would also conduct proactive enforcement. We would not wait for complaints to go after rogue recruiters.

This bill will help protect some of the most vulnerable employees in this province. It comes out of this government's commitment to help those in Ontario who need and deserve our protection. It shows caring for those people who spend their work life caring for others, for our loved ones.

I again thank all of those who gave input as well as the inspiration into the creation of this legislation. This is simply the right thing to do.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate? There being none—oh, I'm sorry. The member for Kitchener–Waterloo.

**Mrs. Elizabeth Witmer:** I just want to add a few points to the record. The member from Parry Sound–Muskoka has represented the views of our party extremely well in speaking to the bill, Bill 210, the Employment Protection for Foreign Nationals Act. We really do agree that it is necessary to put in place some protections and some oversight in the area of these nannies.

However, we believe that the government has once again taken an issue and not allowed sufficient debate and sufficient discussion. As a result, we have a bill that unfortunately is going to harm the legitimate businesses in this province that are going to be very negatively impacted by the legislation, and we're going to see some of these businesses going out of business, I guess is the bottom line.

I'm not sure what has happened to the government this fall. But they seem to have seized upon an issue, I think in this case because of what happened in the Brampton community, and they have not done the due diligence required to take a look at the scope of the issue and identified some of the improvements that need to be made. They have been very hasty. Despite the fact that they had some public hearings, they refused to adopt any of the amendments that were proposed by the opposition, and I think that is regrettable.

#### 1740

I'm not sure why this government is rushing through with legislation this fall. If you're going to pass legislation, take the time to get it right. If you're going to hold public hearings, at least have the courtesy to recognize that the people who are appearing before you might have some good ideas, and at the end of the day, maybe you want to consider some of the amendments that are being introduced by the opposition, which reflect the input of the people who have appeared before the committee. This government chose not to do so.

As a result, this bill is extremely flawed, which is regrettable. As I say, it's going to hurt the good, legitimate agencies. The ones that are scamming the public right now will continue to operate, and there'll be no improvement in the situation of foreign live-in caregivers.

This is the type of amendment that was introduced and rejected: an amendment to add in section 11 that "A person who employs a foreign national as a live-in caregiver or in other prescribed employment shall comply with the Employment Standards Act, 2000." Why would you reject that amendment?

Another one would require the licensing of foreign caregiver agencies. Why would you reject that? That affords protection to the parties. Again, they rejected the licensing initiative altogether. And the list goes on and on.

Here's another one. This was for the registry of employers. The amendment said, "The director of employment standards shall maintain a public registry of persons who employ a foreign national as a live-in caregiver or in other prescribed employment, and the registry shall contain the information required by the regulations."

I just find it unbelievable that this government, all this fall session, has chosen to time-allocate bills, has not been responsive to the concerns that have been brought forward by people who appeared in front of the committee—or people who didn't appear simply because there was not enough time but did submit written submissions. This government, all fall, has simply rejected any other point of view. They seem to be very anxious to get out of here. Maybe they want to avoid more debate on the HST or the eHealth scandal.

Regrettably, this bill is not one we can support.

**The Deputy Speaker (Mr. Bruce Crozier):** Further debate?

Pursuant to the order of the House dated November 26, 2009, I'm now required to put the question.

Mr. Fonseca has moved third reading of Bill 210, An Act to protect foreign nationals employed as live-in caregivers and in other prescribed employment and to amend the Employment Standards Act, 2000.

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

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a five-minute bell.

*The division bells rang from 1744 to 1749.*

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Fonseca has moved third reading of Bill 210. All those in favour will please stand one at a time and be recognized by the Clerk.

#### Ayes

|                       |                    |                     |
|-----------------------|--------------------|---------------------|
| Albanese, Laura       | Hoskins, Eric      | Naqvi, Yasir        |
| Arthurs, Wayne        | Jaczek, Helena     | Oraziotti, David    |
| Balkissoon, Bas       | Jeffrey, Linda     | Pendergast, Leeanna |
| Berardinetti, Lorenzo | Johnson, Rick      | Phillips, Gerry     |
| Bisson, Gilles        | Lalonde, Jean-Marc | Prue, Michael       |
| Brotten, Laurel C.    | Leal, Jeff         | Ramali, Khalil      |
| Brown, Michael A.     | Levac, Dave        | Rinaldi, Lou        |
| Colle, Mike           | Mangat, Amrit      | Ruprecht, Tony      |
| Dhillon, Vic          | Marchese, Rosario  | Sandals, Liz        |
| Dickson, Joe          | Mauro, Bill        | Sergio, Mario       |
| DiNovo, Cheri         | McMeekin, Ted      | Smith, Monique      |
| Duguid, Brad          | McNeely, Phil      | Sousa, Charles      |
| Flynn, Kevin Daniel   | Miller, Paul       | Tabuns, Peter       |
| Fonseca, Peter        | Milloy, John       | Van Bommel, Maria   |
| Hampton, Howard       | Mitchell, Carol    | Wilkinson, John     |
| Horwath, Andrea       | Moridi, Reza       | Zimmer, David       |

**The Deputy Speaker (Mr. Bruce Crozier):** All those opposed, please stand one at a time and be recognized by the Clerk.

**Nays**

Arnott, Ted  
Chudleigh, Ted  
Dunlop, Garfield  
Elliott, Christine  
Hardeman, Ernie

Jones, Sylvia  
Martiniuk, Gerry  
Miller, Norm  
Munro, Julia  
O'Toole, John

Savoline, Joyce  
Witmer, Elizabeth  
Yakabuski, John

**The Clerk of the Assembly (Ms. Deborah Deller):**  
The ayes are 48; the nays are 13.

**The Deputy Speaker (Mr. Bruce Crozier):** I declare the motion carried.

Be it resolved that the bill do now pass and the bill be named as in the motion.

*Third reading agreed to.*

**Hon. Brad Duguid:** I move adjournment of the House.

**The Deputy Speaker (Mr. Bruce Crozier):** Mr. Duguid has moved adjournment of the House. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

The House is adjourned until 9 of the clock Thursday morning.

*The House adjourned at 1752.*

**LEGISLATIVE ASSEMBLY OF ONTARIO**  
**ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Hon. / L'hon. David C. Onley, O.Ont.

Speaker / Président: Hon. / L'hon. Steve Peters

Clerk / Greffière: Deborah Deller

Clerks-at-the-Table / Greffiers parlementaires: Todd Decker, Lisa Freedman, Tonia Grannum

Sergeant-at-Arms / Sergent d'armes: Dennis Clark

| Member and Party /<br>Député(e) et parti        | Constituency /<br>Circonscription                         | Other responsibilities /<br>Autres responsabilités  |
|---|---|---|
| Aggelonitis, Sophia (LIB)                       | Hamilton Mountain   |   |
| Albanese, Laura (LIB)                           | York South–Weston / York-Sud–Weston                       |   |
| Arnott, Ted (PC)                                | Wellington–Halton Hills                                   |   |
| Arthurs, Wayne (LIB)                            | Pickering–Scarborough East /<br>Pickering–Scarborough-Est |   |
| Bailey, Robert (PC)                             | Sarnia–Lambton  |   |
| Balkissoon, Bas (LIB)                           | Scarborough–Rouge River                                   |   |
| Barrett, Toby (PC)                              | Haldimand–Norfolk   |   |
| <b>Bartolucci, Hon. / L'hon. Rick (LIB)</b>     | Sudbury   | Minister of Community Safety and Correctional Services / Ministre de la Sécurité communautaire et des Services correctionnels   |
| <b>Bentley, Hon. / L'hon. Christopher (LIB)</b> | London West / London-Ouest                                | Attorney General / Procureur général  |
| Berardinetti, Lorenzo (LIB)                     | Scarborough Southwest / Scarborough-Sud-Ouest             |   |
| <b>Best, Hon. / L'hon. Margaret R. (LIB)</b>    | Scarborough–Guildwood                                     | Minister of Health Promotion / Ministre de la Promotion de la santé   |
| Bisson, Gilles (NDP)                            | Timmins–James Bay / Timmins–Baie James                    |   |
| <b>Bradley, Hon. / L'hon. James J. (LIB)</b>    | St. Catharines  | Minister of Transportation / Ministre des Transports  |
| <b>Brotten, Hon. / L'hon. Laurel C. (LIB)</b>   | Etobicoke–Lakeshore                                       | Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse<br>Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine |
| Brown, Michael A. (LIB)                         | Algoma–Manitoulin   |   |
| Brownell, Jim (LIB)                             | Stormont–Dundas–South Glengarry                           |   |
| <b>Cansfield, Hon. / L'hon. Donna H. (LIB)</b>  | Etobicoke Centre / Etobicoke-Centre                       | Minister of Natural Resources / Ministre des Richesses naturelles   |
| Caplan, David (LIB)                             | Don Valley East / Don Valley-Est                          |   |
| <b>Carroll, Hon. / L'hon. M. Aileen (LIB)</b>   | Barrie  | Minister of Culture / Ministre de la Culture<br>Minister Responsible for Seniors / Ministre déléguée aux Affaires des personnes âgées   |
| <b>Chan, Hon. / L'hon. Michael (LIB)</b>        | Markham–Unionville  | Minister of Citizenship and Immigration / Ministre des Affaires civiques et de l'Immigration  |
| Chudleigh, Ted (PC)                             | Halton  |   |
| Colle, Mike (LIB)                               | Eglinton–Lawrence   |   |
| Craitor, Kim (LIB)                              | Niagara Falls   |   |
| <b>Crozier, Bruce (LIB)</b>                     | Essex   | Chair of the Committee of the Whole House / Président du comité plénier de l'Assemblée<br>Deputy Speaker / Vice-président   |
| Delaney, Bob (LIB)                              | Mississauga–Streetsville                                  |   |
| Dhillon, Vic (LIB)                              | Brampton West / Brampton-Ouest                            |   |
| Dickson, Joe (LIB)                              | Ajax–Pickering  |   |
| <b>DiNovo, Cheri (NDP)</b>                      | Parkdale–High Park  | Second Deputy Chair of the Committee of the Whole House / Deuxième vice-présidente du Comité plénier de l'Assemblée législative   |
| <b>Dombrowsky, Hon. / L'hon. Leona (LIB)</b>    | Prince Edward–Hastings                                    | Minister of Agriculture, Food and Rural Affairs / Ministre de l'Agriculture, de l'Alimentation et des Affaires rurales  |
| <b>Duguid, Hon. / L'hon. Brad (LIB)</b>         | Scarborough Centre / Scarborough-Centre                   | Minister of Aboriginal Affairs / Ministre des Affaires autochtones<br>Deputy Government House Leader / Leader parlementaire adjoint du gouvernement                                 |
| <b>Duncan, Hon. / L'hon. Dwight (LIB)</b>       | Windsor–Tecumseh  | Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement<br>Minister of Finance / Ministre des Finances   |
| Dunlop, Garfield (PC)                           | Simcoe North / Simcoe-Nord                                |   |
| Elliott, Christine (PC)                         | Whitby–Oshawa   | Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle   |

| Member and Party /<br>Député(e) et parti   | Constituency /<br>Circonscription  | Other responsibilities /<br>Autres responsabilités   |
|--|--|--|
| Flynn, Kevin Daniel (LIB)<br><b>Fonseca, Hon. / L'hon. Peter (LIB)</b>   | Oakville<br>Mississauga East–Cooksville /<br>Mississauga-Est–Cooksville  | Minister of Labour / Ministre du Travail   |
| Gélinas, France (NDP)<br><b>Gerretsen, Hon. / L'hon. John (LIB)</b>  | Nickel Belt<br>Kingston and the Islands / Kingston et<br>les Îles  | Minister of the Environment / Ministre de l'Environnement  |
| <b>Gravelle, Hon. / L'hon. Michael (LIB)</b>   | Thunder Bay–Superior North /<br>Thunder Bay–Superior-Nord  | Minister of Northern Development, Mines and Forestry / Ministre du<br>Développement du Nord, des Mines et des Forêts   |
| Hampton, Howard (NDP)<br>Hardeman, Ernie (PC)  | Kenora–Rainy River<br>Oxford   | Deputy Opposition House Leader / Leader parlementaire adjoint de<br>l'opposition officielle  |
| Hillier, Randy (PC)  | Lanark–Frontenac–Lennox and<br>Addington   |  |
| Horwath, Andrea (NDP)  | Hamilton Centre / Hamilton-Centre  | Leader, Recognized Party / Chef de parti reconnu<br>Leader, New Democratic Party of Ontario / Chef du Nouveau parti<br>démocratique de l'Ontario   |
| Hoskins, Eric (LIB)<br>Hoy, Pat (LIB)<br>Hudak, Tim (PC)   | St. Paul's<br>Chatham–Kent–Essex<br>Niagara West–Glanbrook / Niagara-<br>Ouest–Glanbrook   | Leader, Official Opposition / Chef de l'opposition officielle<br>Leader, Progressive Conservative Party of Ontario / Chef du Parti<br>progressiste-conservateur de l'Ontario                         |
| Jaczek, Helena (LIB)<br>Jeffrey, Linda (LIB)<br>Johnson, Rick (LIB)<br>Jones, Sylvia (PC)<br>Klees, Frank (PC)<br>Kormos, Peter (NDP)<br>Kular, Kuldip (LIB)<br>Kwinter, Monte (LIB)<br>Lalonde, Jean-Marc (LIB)<br>Leal, Jeff (LIB)<br>Levac, Dave (LIB)<br>MacLeod, Lisa (PC)<br>Mangat, Amrit (LIB) | Oak Ridges–Markham<br>Brampton–Springdale<br>Haliburton–Kawartha Lakes–Brock<br>Dufferin–Caledon<br>Newmarket–Aurora<br>Welland<br>Bramalea–Gore–Malton<br>York Centre / York-Centre<br>Glengarry–Prescott–Russell<br>Peterborough<br>Brant<br>Nepean–Carleton<br>Mississauga–Brampton South /<br>Mississauga–Brampton-Sud | Third Party House Leader / Leader parlementaire de parti reconnu   |
| Marchese, Rosario (NDP)<br>Martiniuk, Gerry (PC)<br><b>Matthews, Hon. / L'hon. Deborah (LIB)</b>   | Trinity–Spadina<br>Cambridge<br>London North Centre / London-<br>Centre-Nord   | Minister of Health and Long-Term Care / Ministre de la Santé et des<br>Soins de longue durée   |
| Mauro, Bill (LIB)<br><b>McGuinty, Hon. / L'hon. Dalton (LIB)</b>   | Thunder Bay–Atikokan<br>Ottawa South / Ottawa-Sud  | Minister of Intergovernmental Affairs / Ministre des Affaires<br>intergouvernementales<br>Premier / Premier ministre<br>Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario        |
| <b>McMeekin, Hon. / L'hon. Ted (LIB)</b>   | Ancaster–Dundas–Flamborough–<br>Westdale   | Minister of Consumer Services / Ministre des Services aux<br>consommateurs   |
| McNeely, Phil (LIB)<br><b>Meilleur, Hon. / L'hon. Madeleine (LIB)</b>  | Ottawa–Orléans<br>Ottawa–Vanier  | Minister of Community and Social Services / Ministre des Services<br>sociaux et communautaires<br>Minister Responsible for Francophone Affairs / Ministre déléguée<br>aux Affaires francophones      |
| Miller, Norm (PC)<br>Miller, Paul (NDP)<br><b>Milloy, Hon. / L'hon. John (LIB)</b>   | Parry Sound–Muskoka<br>Hamilton East–Stoney Creek /<br>Hamilton-Est–Stoney Creek<br>Kitchener Centre / Kitchener-Centre  | Minister of Research and Innovation / Ministre de la Recherche et de<br>l'Innovation<br>Minister of Training, Colleges and Universities / Ministre de la<br>Formation et des Collèges et Universités |
| Mitchell, Carol (LIB)<br>Moridi, Reza (LIB)<br><b>Munro, Julia (PC)</b>  | Huron–Bruce<br>Richmond Hill<br>York–Simcoe  | Third Deputy Chair of the Committee of the Whole House /<br>Troisième vice-présidente du Comité plénier de l'Assemblée<br>législative  |

| <b>Member and Party /<br/>Député(e) et parti</b> | <b>Constituency /<br/>Circonscription</b> | <b>Other responsibilities /<br/>Autres responsabilités</b>  |
|--|---|---|
| Murdoch, Bill (PC)                               | Bruce–Grey–Owen Sound                     |   |
| Naqvi, Yasir (LIB)                               | Ottawa Centre / Ottawa-Centre             |   |
| O’Toole, John (PC)                               | Durham                                    |   |
| Oraziotti, David (LIB)                           | Sault Ste. Marie                          |   |
| Ouellette, Jerry J. (PC)                         | Oshawa                                    |   |
| Pendergast, Leeanna (LIB)                        | Kitchener–Conestoga                       |   |
| <b>Peters, Hon. / L’hon. Steve (LIB)</b>         | Elgin–Middlesex–London                    | Speaker / Président de l’Assemblée législative  |
| <b>Phillips, Hon. / L’hon. Gerry (LIB)</b>       | Scarborough–Agincourt                     | Chair of Cabinet / Président du Conseil des ministres<br>Minister of Energy and Infrastructure / Ministre de l’Énergie et de l’Infrastructure |
| Prue, Michael (NDP)                              | Beaches–East York                         |   |
| <b>Pupatello, Hon. / L’hon. Sandra (LIB)</b>     | Windsor West / Windsor-Ouest              | Minister of Economic Development and Trade / Ministre du Développement économique et du Commerce  |
| Qaadri, Shafiq (LIB)                             | Etobicoke North / Etobicoke-Nord          |   |
| Ramal, Khalil (LIB)                              | London–Fanshawe                           |   |
| Ramsay, David (LIB)                              | Timiskaming–Cochrane                      |   |
| Rinaldi, Lou (LIB)                               | Northumberland–Quinte West                |   |
| Runciman, Robert W. (PC)                         | Leeds–Grenville                           | Opposition House Leader / Leader parlementaire de l’opposition officielle   |
| Ruprecht, Tony (LIB)                             | Davenport                                 |   |
| Sandals, Liz (LIB)                               | Guelph                                    |   |
| Savoline, Joyce (PC)                             | Burlington                                |   |
| Sergio, Mario (LIB)                              | York West / York-Ouest                    |   |
| Shurman, Peter (PC)                              | Thornhill                                 |   |
| <b>Smith, Hon. / L’hon. Monique M. (LIB)</b>     | Nipissing                                 | Minister of Tourism / Ministre du Tourisme<br>Government House Leader / Leader parlementaire du gouvernement                                  |
| Smitherman, George (LIB)                         | Toronto Centre / Toronto-Centre           |   |
| Sorbara, Greg (LIB)                              | Vaughan                                   |   |
| Sousa, Charles (LIB)                             | Mississauga South / Mississauga-Sud       |   |
| Sterling, Norman W. (PC)                         | Carleton–Mississippi Mills                |   |
| Tabuns, Peter (NDP)                              | Toronto–Danforth                          | Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu   |
| <b>Takhar, Hon. / L’hon. Harinder S. (LIB)</b>   | Mississauga–Erindale                      | Minister of Government Services / Ministre des Services gouvernementaux   |
| Van Bommel, Maria (LIB)                          | Lambton–Kent–Middlesex                    |   |
| <b>Watson, Hon. / L’hon. Jim (LIB)</b>           | Ottawa West–Nepean / Ottawa-Ouest–Nepean  | Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement  |
| <b>Wilkinson, Hon. / L’hon. John (LIB)</b>       | Perth–Wellington                          | Minister of Revenue / Ministre du Revenu  |
| <b>Wilson, Jim (PC)</b>                          | Simcoe–Grey                               | First Deputy Chair of the Committee of the Whole House / Premier vice-président du comité plénier de l’Assemblée                              |
| Witmer, Elizabeth (PC)                           | Kitchener–Waterloo                        |   |
| <b>Wynne, Hon. / L’hon. Kathleen O. (LIB)</b>    | Don Valley West / Don Valley-Ouest        | Minister of Education / Ministre de l’Éducation   |
| Yakabuski, John (PC)                             | Renfrew–Nipissing–Pembroke                | Deputy Opposition House Leader / Leader parlementaire adjoint de l’opposition officielle  |
| Zimmer, David (LIB)                              | Willowdale                                |   |

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY  
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

**Standing Committee on Estimates / Comité permanent des budgets des dépenses**

Chair / Président: Garfield Dunlop  
Vice-Chair / Vice-président: Robert Bailey  
Robert Bailey, Gilles Bisson  
Jim Brownell, Kim Craitor  
Bob Delaney, Garfield Dunlop  
Phil McNeely, John O'Toole  
Khalil Ramal  
Clerks / Greffiers: William Short (pro tem.), Sylwia Przewdziecki

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

Chair / Président: Pat Hoy  
Vice-Chair / Vice-présidente: Laura Albanese  
Laura Albanese, Wayne Arthurs  
Toby Barrett, Kevin Daniel Flynn  
Eric Hoskins, Pat Hoy  
Michael Prue, Peter Shurman  
Charles Sousa  
Committee Clerk / Greffier: William Short

**Standing Committee on General Government / Comité  
permanent des affaires gouvernementales**

Chair / Président: David Oraziatti  
Vice-Chair / Vice-présidente: Helena Jaczek  
Helena Jaczek, Kuldip Kular  
Amrit Mangat, Rosario Marchese  
Bill Mauro, Reza Moridi  
David Oraziatti, Joyce Savoline  
John Yakabuski  
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Government Agencies / Comité  
permanent des organismes gouvernementaux**

Chair / Président: Ernie Hardeman  
Vice-Chair / Vice-présidente: Lisa MacLeod  
Laura Albanese, Michael A. Brown  
Howard Hampton, Ernie Hardeman  
Rick Johnson, Lisa MacLeod  
Yasir Naqvi, Leeanna Pendergast  
Jim Wilson  
Committee Clerk / Greffier: Douglas Arnott

**Standing Committee on Justice Policy / Comité permanent de  
la justice**

Chair / Président: Lorenzo Berardinetti  
Vice-Chair / Vice-président: Jeff Leal  
Lorenzo Berardinetti, Ted Chudleigh  
Christine Elliott, Peter Kormos  
Jeff Leal, Dave Levac  
Leeanna Pendergast, Lou Rinaldi  
David Zimmer  
Committee Clerk / Greffière: Susan Sourial

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

Chair / Président: Bas Balkissoon  
Vice-Chair / Vice-président: Khalil Ramal  
Bas Balkissoon, Jim Brownell  
Bob Delaney, Joe Dickson  
Rick Johnson, Sylvia Jones  
Norm Miller, Khalil Ramal  
Peter Tabuns  
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on Public Accounts / Comité permanent  
des comptes publics**

Chair / Président: Norman W. Sterling  
Vice-Chair / Vice-président: Ted Arnott  
Ted Arnott, France Gélinas  
Phil McNeely, Jerry J. Ouellette  
David Ramsay, Liz Sandals  
Norman W. Sterling, Maria Van Bommel  
David Zimmer  
Committee Clerk / Greffier: Katch Koch

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

Chair / Président: Michael Prue  
Vice-Chair / Vice-président: Paul Miller  
Bas Balkissoon, Mike Colle  
Kim Craitor, Gerry Martiniuk  
Paul Miller, Bill Murdoch  
Michael Prue, Tony Ruprecht  
Mario Sergio  
Clerks / Greffiers: Trevor Day (pro tem.), Sylwia Przewdziecki

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

Chair / Président: Shafiq Qaadri  
Vice-Chair / Vice-président: Vic Dhillon  
Sophia Aggelonitis, Vic Dhillon  
Cheri DiNovo, Linda Jeffrey  
Sylvia Jones, Jean-Marc Lalonde  
Carol Mitchell, Shafiq Qaadri  
Elizabeth Witmer  
Committee Clerk / Greffier: Katch Koch

**Select Committee on Mental Health and Addictions / Comité  
spécial de la santé mentale et des dépendances**

Chair / Président: Kevin Daniel Flynn  
Vice-Chair / Vice-présidente: Christine Elliott  
Bas Balkissoon, Christine Elliott  
Kevin Daniel Flynn, France Gélinas  
Helena Jaczek, Sylvia Jones  
Jeff Leal, Liz Sandals  
Maria Van Bommel  
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