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of Ontario

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Wednesday 19 February 2014

Mercredi 19 février 2014

Speaker
Honourable Dave Levac

Président
L'honorable Dave Levac

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LEGISLATIVE ASSEMBLY
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ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mercredi 19 février 2014

The House met at 0900.

The Speaker (Hon. Dave Levac): Good morning. Please join me in prayer.

Prayers.

ORDERS OF THE DAY

YOUTH SMOKING
PREVENTION ACT, 2014

LOI DE 2014 SUR LA PRÉVENTION
DU TABAGISME CHEZ LES JEUNES

Mr. Milloy, on behalf of Ms. Matthews, moved second reading of the following bill:

Bill 131, An Act to amend the Smoke-Free Ontario Act / Projet de loi 131, Loi modifiant la Loi favorisant un Ontario sans fumée.

The Speaker (Hon. Dave Levac): Mr. Milloy moves second reading of Bill 131.

The Minister of Health.

Hon. Deborah Matthews: Thank you—

The Speaker (Hon. Dave Levac): I have to do this because he introduced it, and he'll share.

Government House leader.

Hon. John Milloy: Mr. Speaker, how do you know I will share?

The Speaker (Hon. Dave Levac): I have a sense that you will.

Hon. John Milloy: Thank you very much, Mr. Speaker. It was my pleasure to move second reading of this important bill, An Act to amend the Smoke-Free Ontario Act. This is a bill that is being shepherded by the Minister of Health and today I wish to just welcome the debate here in this Legislature, and as you surmised, share my time with the Minister of Health. So with that, I will ask if I can turn it over to her.

The Speaker (Hon. Dave Levac): Good speech.

The Minister of Health and Long-Term Care.

Hon. Deborah Matthews: Well, good morning, Speaker. I rise today to talk further about Bill 131, the proposed Youth Smoking Prevention Act that I introduced on November 18, 2013. It would amend the Smoke-Free Ontario Act. I will also be speaking about proposed amendments to Ontario regulation 48/06, made under the Smoke-Free Ontario Act.

Before I go any further, I really want to recognize the many officials in the ministry, in the health promotion division. Their hard work has brought this bill to us. I would also like to sincerely thank our partners, including

the Heart and Stroke Foundation, the Canadian Cancer Society, the Ontario Campaign for Action on Tobacco, and the Ontario Lung Association. Their passionate advocacy on behalf of many Ontario families impacted by tobacco smoke has been instrumental in bringing forth this proposed legislation today.

We all know about the harmful effects of tobacco smoking. We all know about the lives it harms and the lives it takes every single day in this province and across the country. I think every one of us in this House understands our shared responsibility to protect Ontarians, particularly the youngest Ontarians, from the harmful effects of smoking. That means protecting our children from exposure to second-hand smoke. It also means preventing young Ontarians from taking up smoking in the first place.

I'm proud of our government's record in this area. We have worked hard to toughen tobacco laws, ban smoking in public places and encourage more Ontarians to quit altogether, and I'm pleased that Ontario's smoking rate has dropped as a result of our efforts. According to the Ontario Tobacco Research Unit, 6% of grade 11 and 12 students had smoked cigarettes in the past 30 days, down from 12% in 2005—so half. In 2005, twice as many students in grades 11 and 12 had smoked. For the general population, smoking rates have declined by five percentage points since 2000, now at 18%.

But there is still more we can and I would say we must do. The first pillar of our action plan for health care is keeping Ontarians healthy. To make that happen, we're determined to have the lowest smoking rate in Canada, a distinction currently held by British Columbia at 15%. The legislation we're debating today would take the vital next step in ensuring that comes to pass. Bill 131, if passed, would take strong action to protect Ontarians from the harmful effects of exposure to tobacco smoke. It would help prevent young people from starting to use tobacco, and it would move us further along the path toward having the lowest smoking rate in Canada.

Smoking is the number one cause of preventable death, preventable disease and premature death in Ontario. Tobacco use accounts for about 13,000 deaths in our province every year. Speaker, I wager to say that if something else was causing 13,000 deaths in our province, we would all be supportive of efforts to reduce that. So 13,000 deaths—that's enough to populate many of our communities—gone, every year; their families left behind to grieve their loss.

There is no question that the toll on individuals, on families and on communities is huge, as is the cost to our

health care system; and that's a heavy burden we all have to bear. Tobacco-related illnesses account for more than 10% of acute hospital days. Smoking also causes 80% of lung cancers and 80% of chronic obstructive pulmonary disease. Every year, tobacco-related diseases cost the province about \$1.9 billion, almost \$2 billion, in direct health care expenses and an additional \$5.8 billion in indirect costs such as lost productivity.

When we introduced our Smoke-Free Ontario Strategy in 2005, the serious harm to health that smoking tobacco could cause was already well known and well documented. However, new research shows that the health implications of tobacco use go beyond what was known when the Smoke-Free Ontario Strategy was first implemented. For example, we now know that smoking can cause cancer not just in the lungs but in at least 18 different sites in our bodies. It can lead to increased post-surgical complications, and it can result in heart disease and stroke. Knowing all this, our government is taking further measures to achieve our goal of making Ontario the healthiest place in North America to grow up and to grow old. Our proposed Youth Smoking Prevention Act is a logical next step in our efforts to promote the health of Ontarians and protect them, especially our young people, from tobacco use.

The first step, as I have said, was the Smoke-Free Ontario Strategy, launched in 2005. We created that strategy in order to meet the challenge of reducing tobacco use in the province. It made Ontario a national and international leader in tobacco control. The strategy takes action on three fronts: The first is helping people to quit; the second is preventing people from taking up tobacco use, especially young people; and the third is protecting children and adults from exposure to tobacco use and tobacco smoke. We knew then that a comprehensive approach would be the most effective in reducing tobacco use. The strategy initially focused on enforcing the Smoke-Free Ontario Act's groundbreaking protections from second-hand smoke in bars, restaurants and other enclosed workplaces. To help stop young people from starting to smoke, and to protect youth from exposure to cigarette displays in stores, we later prohibited tobacco marketing displays in convenience stores—so-called “power walls.”

0910

Subsequent amendments created even stronger protections for the young people of Ontario. In 2009, we protected kids from exposure to second-hand smoke in motor vehicles. In 2011, we announced our commitment to renew the Smoke-Free Ontario Strategy through new investments to help more people quit smoking, and to work with young people and educators to keep schools smoke-free. We also introduced initiatives to cut off the supply of contraband tobacco. With this new direction, the Smoke-Free Ontario Strategy's focus shifted to cessation and prevention activities. The Tobacco Strategy Advisory Group, whose members include leaders in tobacco control, have identified these as key actions.

On the cessation front, our government introduced new initiatives aimed at engaging workplaces and more

health care professionals and institutions in supporting the cessation needs of their employees and patients, as well as supporting youth prevention efforts in school communities. As part of our plan to help smokers who want to quit, community health centres across the province now provide over-the-counter nicotine cessation aids, nicotine replacement therapy and counselling at no cost to smokers.

In collaboration with community, workplace and health care partners, Ontario has launched two more innovative smoking cessation initiatives, partnering with workplaces and 11 public health units to reduce smoking among workers in the industrial and service sectors, and helping patients in hospitals and regional cancer centres quit smoking.

These new initiatives built on the success of the other supports we offer smokers in Ontario, including free nicotine replacement therapy at 128 family health teams across the province. In October 2012, we announced that Ontario's pharmacists will now have an expanded role, with the ability to prescribe medication to help people quit smoking. Now that they can access this service from their local pharmacist, more Ontarians will receive the help they need to quit smoking safely, more quickly and closer to home. This is all part of our ongoing work with our partners to create a “no wrong door” system for smokers to get help to quit smoking. That includes government investments through the strategy to assist smokers in getting the help they need to stop smoking from post-secondary campuses, some public health units, addiction agencies, primary care settings, hospitals, workplaces, family health teams, community health centres, regional cancer centres and aboriginal health access centres.

In partnership with public health units, non-governmental organizations, health professionals and institutions, my ministry employs a mix of tools and programs to support the aim of the Smoke-Free Ontario Strategy. These organizations deliver programs and services. They train smoke-free Ontario partners and support research on the impact of tobacco on the lives of the people of Ontario. Our government also ensures that Ontario drug benefit recipients who smoke are eligible for smoking cessation counselling offered through community pharmacists and for cessation medications. The strategy funds the Smokers' Helpline, which provides cessation counselling online and by telephone. Organizational change in cessation practices has been achieved in clinical settings by changing practices within hospitals, embedding cessation into care pathways and other related patient care processes.

Speaker, these are the right investments for Ontario. Other jurisdictions have shown that, for every dollar we invest in a comprehensive tobacco control program, we save as much as \$50 in health care expenditures.

Since most people start smoking when they're young, preventing young people from taking up tobacco use is a particularly effective way to achieve savings. Our proposed amendments also focus on protecting Ontarians

from exposure to second-hand smoke, which could yield significant savings to the health care system and, more importantly, to help save lives. As we all know, a healthy Ontario is more productive and helps grow our economy.

These compelling facts form the backdrop against which we need to consider the proposed amendments. With this proposed legislation, our intent is to focus once again on protecting Ontarians from second-hand smoke, or preventing people from starting to smoke in the first place. The legislation aligns with our platform commitments and our action plan for health care.

We have decided to take such an activist role because research shows that when government is highly involved in tobacco control, with strong legislation and programs that ensure people have the right information and supports, fewer people end up smoking. That benefits all of us and helps protect the health care system we all share and cherish.

Speaker, the protections included in our proposed legislation reflect input from stakeholders and the Tobacco Strategy Advisory Group; they address emerging trends in tobacco manufacturing; they respond to enforcement challenges identified by inspectors; they reflect increased public support for action; and they help Ontario maintain its role as a leader in tobacco control.

I should point out that since the Smoke-Free Ontario Strategy was created in 2005, many public and private institutions and organizations have taken action on tobacco control beyond the rules laid out in the Smoke-Free Ontario Act. These organizations are taking action voluntarily, including establishing smoke-free hospital grounds, smoke-free campuses and smoke-free playgrounds and sports fields, because they recognize the value of decreasing tobacco use. I do want to take this opportunity to sincerely thank all of the dedicated Ontarians who have demonstrated their support for our actions to date, and have contributed to reduce smoking in the province. We're proposing to build on these voluntary efforts to encourage more organizations to take similar action so that healthier environments and workplaces can be experienced by people wherever they live, work and study in Ontario.

With our determined efforts and the help of our dedicated partners, Ontario now boasts 255,000 fewer smokers.

Despite its successes, the Smoke-Free Ontario Strategy's interventions to reduce smoking rates are being undermined on a number of fronts. For example, young smokers are particularly vulnerable to temptation with the ready availability of flavoured tobacco products. Kids are routinely exposed to tobacco use and tobacco smoke on sports fields, and seeing adults smoke on restaurant and bar patios leads young people to believe that smoking is socially acceptable, which increases the likelihood of them starting to smoke. So even though I'm proud of how far we've come and the terrific results we've achieved, I am more determined than ever to reach our ambitious goal of having the lowest smoking rate in Canada.

With this proposed legislation, we intend to do all we can to make smoking less visible and less socially acceptable. Our proposed legislative and regulatory amendments, if passed, would implement our government's commitment to increase fines, focus on protecting kids and youth, and move us closer to our goal of reducing tobacco use in Ontario to the lowest in the country.

Let me now discuss some of the highlights of the proposed legislation and regulatory amendments. First, to prevent children and youth from accessing tobacco products and protect them from the harmful effects of smoking, the proposed legislative and regulatory amendments would, if passed, double fines for those who sell tobacco to kids, making them the highest in Canada. Right now, compared to other provinces, Ontario has one of the lowest set fines for offences related to youth access to tobacco. Higher fines would have a strong deterrent effect, making people think twice before selling tobacco to kids. More importantly, I'm convinced that higher fines would help to reduce kids' access to tobacco.

Second, we would prohibit the sale of tobacco products containing flavouring—flavouring, Speaker, like bubble gum or strawberry. There would be certain exemptions. This is not the first time our government has taken action on flavoured tobacco. In 2010, an amendment to the Smoke-Free Ontario Act prohibited persons from selling, offering to sell, distributing and offering to distribute flavoured cigarillos. That same year, the federal government amended its Tobacco Act to prohibit the sale of cigarettes, cigarillos and rolling papers containing specified flavours, with an exemption for menthol.

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However, flavoured tobacco products are still available and remain particularly appealing to youth because of their taste and their appearance. We know that tobacco manufacturers use flavoured tobacco to entice youth to use tobacco, and we know that kids are much more likely to use flavoured products than are adults. Bill 131 would ensure that these products cannot be sold in Ontario. The ban would apply to all flavoured tobacco products, including cigarettes, blunt wraps, cigars, pipe tobacco, smokeless tobacco and water pipe tobacco. Because the focus of the ban is on flavoured tobacco products that appeal to youth for their distinctive fruity, sweet or candy flavours, we are proposing to exempt menthol, tobacco-enhancing flavours and flavours used to reduce the harsh tastes of certain types of tobacco.

The third element of this legislation, these proposed amendments, would authorize inspectors appointed under the Smoke-Free Ontario Act to seize improperly packaged tobacco and tobacco products that are prohibited for sale under the act. Expanding seizure authority would support the enforcement of the act and ensure that products prohibited for sale under the act are removed from point of sale. As well, the proposed amendments would authorize inspectors to take a sample of a substance for the purpose of determining compliance with the Smoke-Free Ontario Act's prohibition on smoking in enclosed public places and workplaces. Finally, it would also enable the

ministry to determine the extent to which tobacco is being used by water pipe bar operators.

Fourth, we would amend the legislation to prohibit the sale of tobacco on specific government of Ontario properties. We would also amend the regulation to prohibit tobacco sales on post-secondary education campuses. The Smoke-Free Ontario Act already prohibits the sale of tobacco in vending machines, hospitals, psychiatric facilities, long-term-care homes, pharmacies and facilities licensed under the Independent Health Facilities Act. Our proposed amendments would extend these prohibitions.

We're taking action in post-secondary education settings because young adulthood is a critical period when smoking habits become established. This would build on the work being done by our partner Leave the Pack Behind to provide more on-campus supports to students trying to quit their tobacco use. Our proposals would provide supportive environments to prevent people from starting to smoke and make it easier for them to cut down and quit smoking.

In addition to these legislative amendments through Bill 131, we're proposing a number of regulatory amendments to further protect the people of Ontario from exposure to tobacco use. To protect workers and patrons, especially kids, from exposure to second-hand smoke, our proposed amendments to Ontario regulation 48/06 would ban smoking on all restaurant and bar patios, including those that are uncovered. As well, amendments would ban smoking on playgrounds and sports fields, and further restrict smoking on the grounds of hospitals and specified provincial government properties. Banning smoking on patios, playgrounds and sports fields would make smoking less visible to young adults, who have a high risk of taking up smoking, and de-normalize social smoking among young adults.

Many municipalities have already taken action on similar fronts. In fact, 58 municipalities representing 61% of the population have already banned smoking on playgrounds; 45 municipalities representing 37% of the population have already banned smoking on sports and recreation fields and facilities; and nine Ontario municipalities currently have a full smoking ban in place on patios. A province-wide patio ban would make it easier for businesses and patrons to comply with the law and would provide complete protection for workers, patrons and kids everywhere in Ontario.

There is strong support for these initiatives. Our partners, including the Heart and Stroke Foundation of Canada, the Canadian Cancer Society, the Ontario Lung Association and the Ontario Medical Association, do support these initiatives.

But I know that engaging the public is crucial to our success. We've worked hard to get our message out. For example, we launched a highly successful social marketing campaign last spring that focuses on cessation among young adults, a population with the highest smoking rate among all age groups. More recently, we posted a summary of the draft regulatory measures on the gov-

ernment of Ontario's Regulatory Registry for public review and comment for 45 days. The feedback we received was overwhelmingly supportive, including many submissions from young people in Ontario applauding these initiatives. We will consider all of the input and suggestions we've received through this process as we continue to draft the regulations.

Speaker, I believe every member in this House understands and shares our commitment to protecting young Ontarians from the harmful effects of tobacco smoke. It places a heavy burden on our health care system, and most importantly, it takes a heavy toll on too many lives. These amendments, if passed, would strengthen our ability to reduce kids' exposure to tobacco smoke in their daily lives and help prevent our young people from using any tobacco products. Selling flavoured tobacco is one of the few remaining ways that tobacco companies have of marketing to our kids, and we have a responsibility to act. These amendments would also protect more Ontarians from the harms of second-hand smoke and make smoking less visible and de-normalize tobacco use.

Again, Speaker, I'd like to thank our valued health system partners, as well as everyday Ontarians, for their support of this proposed legislation, and for their dedication and commitment to the health of the people of Ontario.

I call upon members of all three parties in this House to come together in support of this vital piece of legislation. Together, we can take this strong action to invest in the health and well-being of our people so they can live healthier lives and contribute to a healthier economy. Thank you, Speaker.

The Acting Speaker (Mr. Paul Miller): Questions and comments.

Ms. Lisa MacLeod: I take some great pleasure in standing here today to talk about anti-smoking in action and the Smoke-Free Ontario Act.

I was very proud to have had my father, Dan MacLeod—Daniel James MacLeod—bring in one of the first anti-smoking bylaws in Canada, actually in North America. This would be well over a decade ago. He was bringing it forward and at the time, I remember, my uncle was dying of lung cancer. He was 42 when he passed. His name was Cedric MacLeod—Cedric Nelson MacLeod. My father had to miss a council meeting in New Glasgow, Nova Scotia, when he was bringing in this important bylaw, and was it ever divisive at the time. There were smokers' rights groups. They were vowing to defeat my father in the next election because he was bringing this forward, but he believed it was the right thing to do. When you look back at 2000—that's 14 years ago—that legislation, or that bylaw, at the time in New Glasgow, Nova Scotia, a small town of 10,000 people, was that divisive. Today, we stand here as legislators and we all know it's the right thing to do to curb smoking. We know because of the health effects. We know that people who become addicted to nicotine later in life want to quit because of some of the ill effects and its approach on cancer and what it does to young people as they age.

I think it's important and I'm really proud of the contribution my father made before he died of cancer, although a different type of cancer. It wasn't caused by smoking.

I'd also like to pay tribute to my dear friend Norm Sterling, who, when he was a member of this assembly, years before anybody else was thinking about this, was putting legislation on the floor of this assembly to deal with anti-smoking.

So you know something? I think it's important that we're having this discussion. I congratulate all my colleagues on all sides of the chamber for taking action on this important matter. Thank you.

The Acting Speaker (Mr. Paul Miller): Questions and comments.

Mr. Kevin Daniel Flynn: It's a pleasure to rise today and support this act. We've heard from two parties. It appears it is going to get support through the House, and hopefully it gets that support very, very quickly. It's a piece of legislation, I think, whose time has come.

The previous speaker talked about remarks that were made in the past and what other people felt about whether we should ban tobacco or not. At the time that it was first introduced that we should restrict the use of tobacco, certainly there were a number of members of the public and the industry, I suppose, who were opposed to that because, at the time, they felt that business, perhaps, was more important than public health. I don't think anybody in our House agrees with that sentiment anymore.

0930

I think the legislation is well drafted. I think the remarks that we've heard from at least one member of the opposition speak to the fact that this is something we can all do together, because we know the best way to prevent somebody from becoming addicted to any substance, including tobacco, is to limit its use in the first place, to not introduce it in the first place to our kids, to keep it out of the way of our kids to make sure that our kids understand that it's not a normal thing to smoke.

I had two parents who didn't smoke, Speaker, and I remember, as a child, feeling a little weird because our house didn't smell like the other houses. I thought the other houses smelled cool. I think at one point I almost wanted my parents to smoke so I could have a cool-smelling, smoky house. As it turned out, my parents were ahead of their time, and I thank them for that.

I think that, as a province, if we're able to set this ambitious goal of trying to have the lowest smoking rate in all of Canada, if we can beat BC out—I think a little competition, a little bit of fun could make this very, very serious issue something we can all get behind as legislators, knowing that it's going to help young Ontarians. It's going to prevent them from the harmful effects of tobacco smoke now and into the future.

The Acting Speaker (Mr. Paul Miller): Questions and comments?

Ms. Lisa M. Thompson: I would like to echo what we've already heard in the chamber today. This is an important piece of legislation that's going to do wonders

in terms of proactively helping people realize that their health matters, and, in that, hopefully curb a few health costs down the road in later life. I think about how they're enticing young people with flavoured tobacco—it's like, for goodness' sakes.

People need to understand the ramifications here. My father suffered with emphysema, COPD and probably farmer's lung as well. He lived on oxygen for 12 years, primarily because of life choices. He smoked. He wishes he could have turned the clock back, but we could do it now. We can help people realize that their health is very, very precious. It's only when you see people suffer that you realize some of these things we're doing in the House really can make a difference.

I applaud the idea of banning smoking on schoolyards. That's just ridiculous; I always thought it was and continue to hold that to this day. The essence of the bill is very, very good. We all have our personal stories that make us want to stand up and support this effort that Minister Matthews has brought forward.

Just a little caveat, though: I'd be remiss if I didn't say, as critic for small business and red tape, that I worry about the impact on the small businesses. We have to be mindful and sensitive to what a banning on patios may have on our restaurants and bars. But if we bring everybody to the table and really educate people as to why this is important, I think we should be able to move this through very easily.

Thank you to all of my colleagues for understanding the significance of this particular bill. While I'm a little cautious that we can't be handcuffing our small businesses, this is the proper step to be taking.

The Acting Speaker (Mr. Paul Miller): Questions and comments?

Hon. James J. Bradley: I think the legislation proposed—it's interesting to hear once again with yet another piece of legislation that there's a significant consensus in the House that we have a significant problem out there, and that we have legislation which is designed, both in a regulatory fashion and a legislative fashion, to improve those circumstances. Members I've listened to—the minister herself, of course—have all indicated that this is necessary.

When we look back at some of the landmarks that took place, some of the changes in attitude, it's actually quite phenomenal. Even people who were ardent smokers, or today may still be ardent smokers, are often in support of legislation of this kind.

You and I, Mr. Speaker, are sports fans. We can recall going to arenas in years gone by where, if you went out into the lobby or hallway, you didn't have to have a cigarette in your mouth to be smoking; you simply had to breathe. At that time, you were confronted with a lot of smoke. We used to see it in bars, restaurants and airplanes even. It's hard to believe that they used to allow smoking in certain parts of airplanes and in restaurants as though, somehow, the smoke wouldn't go from one end to the other.

Now, we also recognize that in taverns, for instance—that was once considered to be part of going to a tavern.

People would go home and their clothes would be full of smoke. They would have to air them out, wash them, send them to the cleaners. More importantly, it had a profound negative effect on their health.

So when I hear members of this House speak favourably of legislation of this kind, I trust that there will not be a prolonged debate, unless it's necessary, that it will go to committee and that we can see this bill passed by this Legislature. Certainly that would be my hope.

The Acting Speaker (Mr. Paul Miller): The health minister has two minutes.

Hon. Deborah Matthews: I have to say I'm delighted to hear that the official opposition—it sounds like they will support this. I want to say how much I appreciate that, and how much I appreciate the personal stories that were told here. I think all of us—in fact, I'm sure all of us—know someone close to us who has died from smoking. In fact, half of smokers will die from smoking-related illness. So I'm very grateful to hear of the support from the official opposition.

I'm a bit surprised I haven't heard from the NDP, but I can only hope that that support is there. I know that the member from Nickel Belt is very supportive of it. I'm assuming that she has convinced her caucus to support this legislation.

I want to comment a bit on the impact of small business because, of course, we are all concerned about that. I draw great optimism from the experience in Ottawa. They are one of the municipalities that has banned smoking on patios and noticed no impact on business whatsoever. In fact, many non-smokers enjoy sitting on patios where there isn't smoke. I know I have been driven indoors from patios by the tobacco smoke on patios, so I think this is the right thing to do. I have no question about that.

I am reminded about how controversial this was just a few years ago. I am still amused, when I see the no-smoking sign on airplanes, to think that we used to allow smoking on airplanes. We go into restaurants now and would be astonished if somebody lit up a cigarette. Today what is normal was not too many years ago not normal at all—in fact, controversial.

So I'm delighted. I hope we're coming together as one, and let's get this done as quickly as we can.

The Acting Speaker (Mr. Paul Miller): Further debate.

Mr. John Yakabuski: Mr. Speaker, I would seek unanimous consent to stand down the lead of the official opposition for another time.

The Acting Speaker (Mr. Paul Miller): The member from Renfrew is seeking unanimous consent to stand down the leadoff. Is that agreeable?

Carry on.

Mr. John Yakabuski: Thank you very much, Mr. Speaker.

This doesn't happen very often. I can't remember when was the last time it happened, where I'm actually going to begin my address by saying that I'm going to pick up where the minister left off. That is not likely hap-

pening very often, because I have my very extensive speech written right here.

It starts out a little bit about the history of smoking and how we have evolved and our attitudes towards it, and our tolerance or lack thereof as time has moved on. You know, my father was elected to this Legislature in 1963 and my father was a smoker. I mean, he was a soldier in the Second World War. There were not many of those people who were infantrymen in the Second World War who did not smoke. You were given your daily ration of tobacco as part of the payment for being willing to risk your life for democracy and your country.

There were a lot of people who were smokers in this Legislature back then. There are very few now, if any. I don't know if there are ones but I'm sure there are a couple. I'm not even sure, and I don't know the actual history, but I know that even into the mid-1980s, members of this Legislature smoked at committee. During committee proceedings, members of the Legislature would smoke while the committee hearings were going on. I suspect that at some time they actually smoked in the chamber. If my dad was around I could ask him, but he's not. He didn't die from smoking, but I suspect that maybe even back in those days, they maybe even smoked in the chamber.

0940

I remember when we had our hardware store in Barry's Bay, and while my dad and my mother ran it, anybody who smoked just smoked on the floor. They could be serving a customer and have a cigarette hanging out of their mouth or checking a customer out and the cigarette just goes down into the ashtray while they check the customer out, and nobody thought anything of it.

I remember when I took over the business and I said, "There won't be any smoking on the floor." It was a little bit controversial when I said, "No, you can't be smoking even if you're not with a customer when you're in the checkout. You can't be smoking on the floor of the business." But that was in the 1980s. So, I mean, we've come even a long way from then.

But the smoking prevention act of whatever you called it there the minister from 2005—I voted against it, and I was chastised for it, but I felt I was standing up for the restaurant owners who maybe weren't prepared. Nine years have gone by since that time and, boy, the world has continued to evolve and continued to change, and our feeling towards smoking has changed as well.

Years ago, if you went to an event—say a dance hall or something like that—you might be there for three or four hours. The smoke was just hanging from the ceiling. Even if you didn't smoke yourself, you didn't find it that bad, because you'd become desensitized to the smoke. You'd go home and the next morning, you'd feel like you had sand in your eyes, but you still didn't feel anything driving you inside to say, "That's got to stop." No. It was, "If they want to smoke, they can smoke," and "If I don't want to be here, I guess I don't have to be here."

But as we have changed our views on smoking and changed the number of places that smoking is considered

to be acceptable or not acceptable, our sensitivities to smoking have changed dramatically. I'm talking about that dance hall that I might have been in back in the 1970s or whatever and not really thought too much about it.

Interjection.

Mr. John Yakabuski: Yes. Well, listen, nobody remarked much in any positive way on my dancing. I assure you that.

Mr. Ernie Hardeman: Just your dancing?

Mr. John Yakabuski: Thanks, Ernie. My friend from Oxford says, "Just your dancing?"

So at that time, it didn't bother you that much, or at least you didn't think it bothered you that much. Today, as I was saying to folks at the table, look at it: If somebody lights up a cigarette down on the waterfront, I can smell it up at St. Clair. I mean, today we are sensitive. You're walking down the sidewalk, and if there's someone walking down the sidewalk, you get within 20 feet, and you can already detect that there's cigarette smoke in the air.

That's why I want to talk about—and I'll get to the point, too—the issue with the restaurant owners and the patios. I think we need to allow them to voice their concerns, but I actually share experiences with what the minister talked about, how people now have said, "I'd actually like to go and enjoy my meal on the patio, but I won't, because I go on the patio, and even if there's nobody smoking on the patio when I get there, in the middle of my meal, if somebody comes in and it's a smoker, it changes my sense of enjoyment for that meal at that particular establishment."

I think that we've reached—and I'm not sure—look, nobody wants to have change. Sometimes the status quo is the easiest thing to accept. But I think that, in the long run, they'll find that they will attract as many new clients to their patios as they may lose on a short-term basis because of the changes in regulations with respect to smoking. I think it's worth having that dialogue with that association, the restaurant and hotel owners etc. But I think that we're finding more and more that some of them are moving in that direction on their own, because they're finding that their patios are not drawing as many people.

The number of adults smoking is continuing to decline—thank goodness for that. I'll talk about how dismayed I am about youth smoking shortly. I hope I get to that. But the number of adults who are smoking has declined, is declining. Adults are taking advantage of the opportunities presented to them with regard to smoking cessation programs. I just hope they're all successful, because it's for everybody's benefit if they can be successful.

Everybody who is a smoker is affected in a different way. Someone who has been a smoker for many, many years can quit smoking and really never look back. Some others, they quit, they start again—the addiction affects everybody differently. We're all chemically similar, but we're all chemically individual as well, so the addiction

affects people in different ways. Some people spend their lives just trying to kick that habit. So if there are ways that we can bolster their efforts, I think that's something that is positive. I don't think there's any question: It is an inarguable statement that you are better off if you're a non-smoker than if you're a smoker. Any argument? I don't think so.

It's great to have a debate when nobody's heckling me. Only my own people were heckling me about my dancing skills, or lack thereof.

I was talking earlier about how dismayed I am when I see young people begin to smoke. It kind of boggles my mind that, given the information we have today, given the social pressures—maybe I don't understand the social pressures of being a teenager, because it has been a while, but I have raised some. I have raised some, and some have just exited their teens not that long ago. I'm proud to say, or pleased to say, that none of our children smoke, save and except for sometimes when they're fishing and they might have a couple of Captain Blacks or whatever they're called—Colts, or something like that—some cigars to keep away the bugs. But at one time, I did see them coming home with these flavoured smokes. They're about the size of a cigarette, but they're dark like a cigar, and they were cherry-this and whatever-that.

I was listening, when the bill was introduced, to the talk about the number of flavoured products out there. It's really astounding. Folks, I can't say they're as bad, but they're as focused. I mean, you look at the breakfast cereal ads these days. That crap doesn't qualify as a food, a breakfast food. Please. I mean, it's chocolate in the middle of a fake biscuit or some kind of thing, and that's what they market to our children for breakfast cereal.

They know how children can be influenced by what is being marketed to them. Of course, when you're trying to tap your new market—there's no point in tobacco companies going after the 70-year-old smoker, because he ain't long for this world. He's not going to buy a lot of cigarettes before he says sayonara. But if you can get somebody who is 12, 13, 14 or whatever hooked on smoking, maybe you're going to have access to some revenue for some time.

We'd all be better off if there was no smoking. As I say, I am dismayed about youth who are starting to smoke and thinking that it's cool. The member from Oakville was talking about when he was younger. Maybe he thought it might have been cool to have a house that stunk of smoke. Back then, he would have said "smelled of smoke, had the aroma of smoke"; today, you'd say "stunk of smoke." When you walk into a home that is occupied by heavy smokers—my wife is in real estate, and right off the bat, if you go into a home that is occupied by heavy smokers, for a lot of people there's an issue there. They want to make sure that that smell is going to be eliminated before they entertain the purchase of that home.

0950

All of these are practical considerations, but the social side of smoking has changed dramatically. I mean, while

at one time it may have been considered to be cool and there was nothing offensive, people find the smell of smoke—the after-smell of smoke—not an environment that they want to be around—the people that are the smokers.

So why would the children of today want to become smokers? Because, while it may not affect them at this time, if they're among a group of people who are doing the same activity, it is going to affect them down the road. I've got to believe—I'm not a fortune teller, and I guess I'll accept that maybe I'm a bit prejudiced on the issue—that if somebody walked into your office looking for a job, and they're a smoker, they're going to have to be a lot better than the person who is not a smoker, because right off the bat, the smoker is more susceptible to be likely taking breaks to go down and have a cigarette; plus, in your office you're going to have that environment. I'm not trying to be mean-spirited or anything else. I'm talking about the reality of the world we live in today. People have to be aware of that. I'm not trying to be judgmental. I'm just trying to point out that this is where we are. This is 2014, and this is where we are.

But on that subject, and I know the minister has been listening very, very closely to what I have to say, and on occasion she has been nodding, which I suspect is her nod of approval of what I'm saying—this is new ground, folks. This is new ground. I kind of half expect I'm going to get a nice note after this. However, this may change over the next six minutes, because I know—

Interjections.

Mr. John Yakabuski: The Minister of Labour says, “You were doing so well, Yak”—

The Acting Speaker (Mr. Paul Miller): The member knows that he doesn't have cross-conversations and leaving me out; I hate being left out. Through the Chair.

Mr. John Yakabuski: I could never leave you out, Speaker. I could never leave you out, neither intentionally nor unintentionally. But if it appears that way, we're going to try to bring this back through you. So, through the Speaker, I say that the Minister of Health over there—but of course I'm addressing the Speaker—may not like the next part of my speech. And it won't be just the Minister of Health. I'm not singling her out. The Minister of Community Safety will be interested in this as well.

Okay. You know, when the member for Nickel Belt was talking about it when the bill was first introduced and talking about all these flavoured cigarettes, where did she find all those 19 kinds, or whatever the heck it was, of flavoured cigarettes? Where did she find them? She found them at a smoke shack at a First Nations. So if we're going to do everything we can to protect our children, we have to also address the source of the problem. We cannot say that this is a threat to the health of our children and therefore the health of our entire society, because our children make up our society and will be, when they become adults and move on, the predominant population of the society in the years to come—we can't on one side of the equation say, “We're taking all of

these measures to protect them in the world outside of contraband tobacco,” and then say, “Now, the minister is saying we're doing something.” Well, the truth is, they're doing very little, and very little because I know how many smoke shacks are in business on Pikwàkanagàn of Golden Lake in my riding. I was in Port Dover last year, and I've seen the smoke shacks going through Six Nations.

So we cannot, on one hand, say that this is our commitment to our youth and then ignore where much of that product comes from, because youth can be trapped by—I talked about the flavour of the cigarettes, and that can be an enticement. The other enticement is the low cost. If you've got a product that is desirable but you can't afford it, it remains just that: desirable. But if you've got a product that is desirable and affordable, then the likelihood of you actually purchasing that product goes up significantly.

I'm not going to stand here and point out the solutions to the government because I don't have them in my hand. But there are groups out there who have been lobbying the government, and it affects legitimate businesses as well. So we cannot ignore that segment of this debate. If we're talking about the health of our children, our grandchildren and the youth, we cannot ignore the contraband tobacco issue and just slough it off to the side and say, “That's not part of it.” That's only attacking half of the problem.

Theoretically, if we convinced every person in the world not to smoke, then there'd be no market for it, no matter where it comes from—understood. But we don't live in that theoretical Alice-in-Wonderland world. I know that the people on the other side, sometimes they do. I was actually listening to the finance minister yesterday, Speaker, and I thought that, honest to God, he was going to be appearing in a new Disney version of Charles and Kathleen go to wonderland or something, because it was fantasyland about what they were thinking about the future of Ontario. But I'm going off the topic, and you know me, I always stay on the topic and I go through the Speaker.

So let's stay on the topic. We have some opportunities here to reduce the access to places where smoking will be encountered. I like the idea of public places and playgrounds. We should not be sending our kids out to a place where the focus is enjoyment and physical fitness and then have them subjected to cigarette smoking or smoking of any kind. So there are some very good parts in this legislation. There's the obvious omission, which maybe needs to be dealt with in another piece of legislation, not through the Ministry of Health, but perhaps through the Ministry of Community Safety and Correctional Services, and I look forward to that coming.

I look forward to the day when it is not just my children who don't smoke but nobody's children smoke. We have eight grandchildren. I hope every one of them grows up to be a non-smoker as well. If that happens and that is repeated in families all across this province and all across this country, and eventually all across this world, it will be a better world for all of us. Thank you very much.

The Acting Speaker (Mr. Paul Miller): Questions and comments?

Ms. Peggy Sattler: I'm pleased to rise and respond and to comment on the remarks from the member from Renfrew–Nipissing–Pembroke. I enjoyed his description of the change in attitudes and behaviours that we've seen in this province over the years, and in particular since the province introduced very tough anti-smoking legislation. I am reflecting back on my own experience—and the Minister of Health will certainly remember this—when London, our community, was one of the first municipalities in the province to pass a smoke-free bylaw. That was due to the efforts of a community coalition called the Council for a Tobacco-Free Community. I was proud to be part of that work that pushed the municipality to prohibit designated smoking rooms. At that time, the debate was about allowing ventilated places for smoking. The evidence said that this will not remove the toxins that people who are exposed to smoke in designated smoking rooms will inhale. As part of that effort, we brought in Heather Crowe, who members of this House may remember was the Ottawa waitress who died from lung cancer that she had contracted as a result of exposure to second-hand smoke during her 40 years as a waitress.

I think that we have seen that legislation does have an impact. Legislation is important, along with public education, to change behaviours and attitudes and move the province closer to an area where we will reduce the exposure to second-hand smoke and prevent young people from smoking. I want to congratulate the government for bringing forward this legislation. It's important. We need to move it to committee.

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The Acting Speaker (Mr. Paul Miller): Questions and comments.

Hon. Mario Sergio: I'm delighted to join the debate and support the bill as introduced by the Minister of Health. I have to say that I have enjoyed, as usual, the very positive comments by the member from Renfrew–Nipissing–Pembroke. As he says, it's a wonderful time in the House, even though it may last six minutes. But I hope that he's going to have some change of heart and may continue for a long time. I think this is a positive issue, and I can see the support throughout the House.

I think it was only last week, Speaker, that we saw the federal budget putting another \$5 on a carton of cigarettes. I haven't heard any cry from any side—young or old, smokers and non. So that shows you the support that is out there. I was pleased to see that the minister had considerable consultation prior to bringing out the legislation.

I have to go back to my last century, Speaker, my previous life, when I remember the North York council chambers were dealing with not allowing smoking in doughnut shops. Wow. I think for two, three nights, we had the council full of people saying that was the end of the world, and every coffee shop was going to close and nobody would go there anymore. Look, we have come a

long way. I mean, you can go in any coffee shop; people are enjoying their coffee without the effect of smoke, and they are still in business and growing all the time.

It was nice to hear the Minister of Health saying, as well, that this has found considerable acceptance among our young people. This is the main crux of the legislation that is in front of us, Speaker. We would like to do more. I hope that we can do more to bring young people not to smoke, and I hope that this will pass soon in the House.

The Acting Speaker (Mr. Paul Miller): Questions and comments

Mr. Randy Pettapiece: It's a pleasure to rise in the House and address the comments from the member for Renfrew–Nipissing–Pembroke.

Speaker, I'd like to give you some of my experience with smoke, and it is in our business, in a decorating business we have. Every once in a while, we go into a house that people have been smoking in. It's interesting: When the curtains come off the windows and you get ready to paint, you can see discolouration on the ceilings; you can see it on the walls. There are times when you have to use a special paint, a stain blocker, to keep the nicotine from coming out through the paint, or you wash the walls trying to get rid of these stains.

The other interesting part about it is when you are painting your walls, as the paint dries, there's a certain amount of humidity or moisture that comes out of the paint, and if you have a crew in there, you can get enough moisture that the windows start to get fogged up. Certainly when my wife is working, a lot quicker than I do, she usually gets more moisture on the windows than I. However, you can start to see, as the windows moisten up, the nicotine start to come down the windows.

These aren't new houses. These are houses that people have lived in for a period of time. In a lot of the houses that we've done with this issue, people have stopped smoking in the house. If they continue to smoke, they smoke outside. And I think that young children—I like to study history. Maybe we should take some of these young folks into some of these houses and see what can happen, and that is really ugly. It may stop them and help prevent them from starting smoking in the first place.

The Acting Speaker (Mr. Paul Miller): Questions and comments.

Miss Monique Taylor: I'm happy to stand and comment to the member from Renfrew–Nipissing–Pembroke, and, once again, bring back the fact of where we've come from to where we are today, and the difference that I myself, as a previous smoker, have felt, and how we struggled when the first laws were brought into place. I myself was a waitress at the time, working in establishments when the non-smoking came through. We thought it was the end of the world. We were going to lose all of our customers. Nothing was going to ever be the same. And when you walk into an establishment now, if you were to dare see someone light a cigarette, you would be like, "What are you doing? What is happening?" So, you know, it's a totally different change from what we've seen previously.

I myself, being in the public eye—and how life has changed for me. It became an embarrassment to me when I was a smoker, and how that changed, because now, today, I'm almost six months smoke-free and quite proud of that. It was something that I always enjoyed to do, so getting to the point of when you can wake up one day and say, "That's it. I'm done. I've had enough," and continuing to work through that process is a tough thing. I'd encourage people to really think deep into what they're doing to themselves, to their body, to the people who are around them. You don't really realize the difference that it makes to a person when you walk into a room and you smell like cigarettes, because, I'll tell you now, I can smell those smokers.

But I think it's a good thing that we're moving forward. I know that we need to be looking at small businesses, because I hear from constituents in my riding who are concerned that they're not going to be able to smoke on the patio anymore. And Hamilton has been one of those lead-takers when it comes to no smoking in the parks, no smoking in the establishments, no smoking on the patios. So I think it's great work brought forward by our member from Nickel Belt, France Gélinas, and—

The Acting Speaker (Mr. Paul Miller): Thank you. The member from Renfrew–Nipissing–Pembroke has two minutes.

Mr. John Yakabuski: I'd like to thank the member from London West, the minister responsible for seniors, and the members for Perth–Wellington and Hamilton Mountain for their comments on my address.

I want to point out some of the fine people who have encouraged me to support this act, as they're concerned about smoking among youth as well: a letter from Lara Mylly, the health promoter at the Whitewater Bromley Community Health Centre—thank you; Margaret Cliché from Beachburg, Ontario; Ellen Michaud from Beachburg, Ontario, as well; Dr. T.A. Rheame, from the Whitewater Bromley Community Health Centre; David Studham, the executive director of the Ottawa Valley Health and Wellness Centre; Judy Grasmuck from the Bonnechere Valley Satellite Clinic of the West Champlain Family Health Team; and my old friend and a former principal at Madawaska Valley District High School in Barry's Bay, Wilmer Matthews, who I've worked with on a number of different issues over the years. I want to thank them all for their input and encouraging us to support this legislation.

I think the goals are honourable, and we certainly will get there. The bill does have our support. As I and my colleague from Huron–Bruce have said, we do have to dialogue with the restaurant industry to ensure that they will—and I think at the end of the day they will accept that this, in the end, will be better for all of us. But we will have to have that dialogue, and that can take place at the committee level.

But, again, the goal is to eliminate—or reduce and eventually eliminate—smoking among our youth. If it's eliminated among our youth, eventually it will be eliminated among us all. Thank you very much, Speaker.

Second reading debate deemed adjourned.

The Acting Speaker (Mr. Paul Miller): Thank you. It being close to 10:15, this House stands recessed until 10:30 this morning.

The House recessed from 1009 to 1030.

INTRODUCTION OF VISITORS

Mr. Steve Clark: I'm so pleased to have one of my constituents here: Taylor Horning from Merrickville, part of the Ontario Youth Parliament that will be here today. But I'm even more pleased that her sister Peyton, who's a former page, is here in the west members' gallery—and also her parents, Alexandra Prefasi-Horning and Paul Horning. Welcome back to Queen's Park.

Ms. Sarah Campbell: I would like to welcome two people to the Legislature this morning: Angie Dawson, who started in my office yesterday, as well as a friend of mine from Kenora–Rainy River, Scott Jonassen. Welcome.

Mr. Bob Delaney: I'm very pleased to welcome a very special person here: my constituency assistant, Humaira Hamayun, who, in September, was diagnosed with cancer and has gone through six rounds of chemo and is in the middle of radiation treatment. She's here with her husband, Hamayun Jilani, and her sister-in-law, Hamayun's sister, who's visiting us from Pakistan, Samina Zeeshan. Would members please welcome them in the members' east gallery?

Mr. Monte McNaughton: It's an honour today to introduce four representatives from MY Canada. They're young people determined to build a strong Canada for today and for future generations. Welcome to Queen's Park.

Hon. Teresa Piruzza: Good morning. I'm pleased this morning to welcome the first cohort of fellows from Studio Y, Ontario's social impact and youth leadership academy. Welcome to the Legislature.

Mr. Rick Nicholls: It's an honour for me to introduce the parents of page Emily Anderson: mother Kye-Young Kwon and father Neil Anderson. They're here with sisters Erica, Natasha, Helena and Elizabeth. They are with us in the public gallery this morning.

The Speaker (Hon. Dave Levac): The Minister of Training, Colleges and Universities.

Hon. Brad Duguid: That was me, Mr. Speaker. Thank you.

I'm delighted to welcome Chaitali Senmajumder, who is here today. She's the mother of page Emon Senmajumder. I'm going to have to work with her to get the right pronunciation.

Mrs. Jane McKenna: I'd like to welcome a Burlington constituent, Dianne Caton, to the Legislature this morning. Dianne is in the members' gallery to show love and support for her daughter, Jessie Caton, who is serving as page captain today. Congratulations, Jessie.

Hon. Glen R. Murray: I'd like to introduce Idil Burale, who is here with the Studio Y program at MaRS. She is an amazing community activist and a former con-

stituency assistant for both my friend Mike Colle—my PA—and myself. I would like to welcome her and her colleagues from Studio Y.

Mr. John O'Toole: It's my pleasure to introduce Megan Storey, who is a former co-op student in my constituency office. She's here with the model Parliament group today. I wish them all the best in the next three days of consultation.

The Speaker (Hon. Dave Levac): The member from Scarborough—

Ms. Soo Wong: Agincourt.

The Speaker (Hon. Dave Levac): —Agincourt.

Ms. Soo Wong: Thank you, Mr. Speaker. I'm pleased to welcome my intern at my Queen's Park office, Taylor Lew, sitting in the east gallery, as well as Meelesh Thakur, who is a grade 8 student in my riding of Scarborough–Agincourt, who's also participating in the model Parliament.

Mr. Victor Fedeli: I would like to introduce from the riding of Nipissing Mary Beth Caliciuri, the mother of one of the mock parliamentarians today, Anthony Caliciuri.

Hon. James J. Bradley: I'd like members to join me in welcoming Alexander Baggs from St. Catharines, who is participating in your model Parliament.

Mr. Steve Clark: I know the Minister of Economic Development is dying to introduce him, but I'm going to one-up him and I'm going to introduce Bruce Davis, who I feel is a great business person. He's the president of the Gananoque Brewing Co., and I'm so proud of him.

Hon. Eric Hoskins: Of course, I want to introduce the great Bruce Davis as well. As many of us know, he was a former chair of the Toronto District School Board and, as has been referenced, the proud purveyor of many craft beers through Gananoque Brewing Co.

The Speaker (Hon. Dave Levac): I smell free beer. Introductions?

Mr. Monte McNaughton: It's an honour today to welcome Eric Muellejans to Queen's Park. He's here on behalf of the mock Parliament. I'd like to say to Eric that I attribute my getting involved in politics to his late father, who was on student council with me back at Glencoe District High School a number of years ago. Welcome, Eric Muellejans.

Hon. Charles Sousa: Mr. Speaker, I ask you to join me in welcoming Robin Smith Forbes in the public gallery this morning, supporting her daughter Sarah Forbes, a page from Mississauga South.

Mr. Jim McDonnell: I want to welcome to the Legislature this morning Sandy Buxton, David Strachan, Connie Spek and Kevin Newman from the Midhurst Ratepayers' Association, who will be meeting with me later on today.

The Speaker (Hon. Dave Levac): The member from Haliburton–Kawartha Lakes–Brock.

Interjection.

The Speaker (Hon. Dave Levac): Dufferin–Caledon.

Ms. Sylvia Jones: Thank you, Speaker. Also from the model Parliament, representing Humberview Secondary

School in Bolton, I'd like to welcome Gurpreet Badesha, Tina Boutis and Brittany Cox. Welcome.

The Speaker (Hon. Dave Levac): I apologize to the member from Dufferin–Caledon.

Further introductions? The member from York Centre.

Mrs. Julia Munro: Thank you very much. I also want to congratulate and add my welcome to the members from my riding for the model Parliament: George Philip and Louis Vatrt.

The Speaker (Hon. Dave Levac): York–Simcoe, not York Centre.

Further introductions?

Hon. Liz Sandals: Welcome to all the students from the model Parliament. Welcome to Queen's Park. Particularly, I'm told that Ada Yang is here from my riding, so a special welcome to people from Guelph.

Ms. Mitzie Hunter: I'd also like to welcome the students, and in particular, from Scarborough–Guildwood, Judy Perpose. Welcome.

Mrs. Amrit Mangat: I would like to welcome Brendan Adamo from my riding for the model Parliament. Welcome.

The Speaker (Hon. Dave Levac): We have with us in the public galleries today 85 students, as we've heard, from across the province, participating in the inaugural Legislative Assembly of Ontario model Parliament.

Before I ask us to welcome them, I would also like to say thank you very much to the staff here at the protocol office who have put together the entire program and are to be thanked on our behalf for bringing these young people.

Please join me in warmly welcoming our future parliamentarians to the Legislature today. I'd like to thank all parties for their support and participation in this very important project for our youth. Here they are. Welcome.

Applause.

The Speaker (Hon. Dave Levac): We are going to model for them their model Parliament.

Interjections.

The Speaker (Hon. Dave Levac): I think I just caused a major problem.

The member from Parkdale–High Park.

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Ms. Cheri DiNovo: With your indulgence, Speaker—sorry—I just wanted to introduce somebody who just arrived: Peggy Nash, the official opposition in Ottawa's finance critic.

The Speaker (Hon. Dave Levac): Welcome. I'm actually glad you did that. That might put some distance between what I said we were going to model and that, so we'll see what happens, but thank you.

LEGISLATIVE PAGES

The Speaker (Hon. Dave Levac): However, before we do start, I think it's time to get introduced to the other set of youth that we have here. I ask the pages to please assemble for introduction.

Emily Anderson from Chatham–Kent–Essex; from Burlington, Jessica Caton; from Richmond Hill, Meera Chopra; from St. Paul’s, Thomas Clifford; from Brampton West, Robin Dhillon; from Etobicoke–Lakeshore, Samer El-Galmady; from Mississauga South, Sarah Forbes; from Willowdale, Kevin Huang; from Nipissing, Jaclyn Hurley; from Barrie, Abbey Jackson; from Beaches–East York, Anne Lafaury; from Oakville, Shannon McCracken; from Timmins–James Bay, Owen Meunier; from Hamilton Mountain, Ibrahim Oleiche; from Newmarket–Aurora, Michael Alexander Sadono; from Sault Ste. Marie, Ella Santana; from Scarborough Centre, Emon Senmajumder; from Peterborough, Nikola Skilton; from Ottawa West–Nepean, Shu Song; from Pickering–Scarborough East, Aqil Syed; and from Mississauga–Brampton South, Kiranpreet Walia.

These are our pages for this next session. Welcome.

Applause.

ORAL QUESTIONS

GOVERNMENT CONTRACTS

Mr. Tim Hudak: A question to the Premier: Premier, yesterday, I talked about your failed record when it comes to job creation in the province, that we didn’t add any new jobs in the entire year of 2013. Sometimes, I’m not sure what’s worse: your jobs record or your fiscal record, because now, under the Liberal government, we have doubled our debt and we have the highest level of debt of any state or province in North America. This is very troubling. The two are related, I believe.

So, Premier, would you agree with me that if we want to send a signal that we’re open for job creation and to restore hope to people in this province, it’s important to balance the budget and pay down the debt as quickly as possible in the province of Ontario?

Hon. Kathleen O. Wynne: I want to just thank the member opposite for the question and say to him that employment rose in this province by 95,000 jobs over the last year.

Interjection: He knows that.

Hon. Kathleen O. Wynne: He knows that, and I think he knows that, since June 2009, we have net new jobs of 440,000. So in fact, I think he knows that the way that we are working to work with communities, to invest in communities, to work with businesses and prosper—I think he knows that that is actually the way to go. We are not going to buy into or support a plan that would actually push good jobs out of the province and that would undermine labour. The strategies that the Leader of the Opposition is interested in would actually cut jobs, would cut programs and slash programs across government, and we don’t believe that is the way to build to an aspirational future.

The Speaker (Hon. Dave Levac): Supplementary.

Mr. Tim Hudak: As you know, clearly, Premier, your plan is not working. We’re losing 300,000 manufacturing

jobs. We’re deep in debt. It seems to me that it’s basic sense: If the plan isn’t working, you try a different plan, you try a different path. And while yesterday you and the leader of the NDP were basically arguing over what taxes to raise and when, the Ontario PC Party was laying out our plan to create a million jobs in the province of Ontario and restore hope.

We continue that path on how we get Ontario working again. My colleague from Etobicoke–Lakeshore, Doug Holyday, is introducing a bill later today called the Financial Accountability Officer Act. It would basically compel the new Financial Accountability Officer to look at areas of managed competition to ensure that we contract out services, where possible, where it makes sense for taxpayers, so we get the best quality at the best price to the taxpayer.

Premier, can I count on you to support Doug Holyday’s very sensible, thoughtful and forward-looking bill?

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock, please. Be seated, please. Thank you.

Premier?

Hon. Kathleen O. Wynne: The member’s question is about achieving savings, and just yesterday we announced changes to the public sector retiree benefits, which will save, I think, at full maturity, a billion dollars a year, so that is a very important and significant change. I hope that the leader of the third party supports that and thinks that that is a good idea.

I haven’t seen the private member’s bill that the member for Etobicoke–Lakeshore is going to bring forward, but I understand that he couldn’t identify any areas where this particular idea would apply. The notion of contracting out, which I guess is at the root of the issue—he couldn’t identify whether he thought contracting out teachers was a good idea, or contracting out the police. He didn’t have an answer to that.

Like the million jobs plan that the leader of the third party talked about, it is magical thinking. We don’t engage in magical thinking. We have a plan, and that plan is working.

The Speaker (Hon. Dave Levac): Final supplementary.

Mr. Tim Hudak: Back to the Premier: When it comes to our deep indebtedness and creating jobs, I wish you’d engage in any kind of thinking whatsoever. We need another plan.

Premier, I’m a little worried by your answer that you weren’t watching Doug Holyday’s press conference. He laid it out. It follows on the Drummond commission recommendations. Basically, we think there are all kinds of areas where we’d ask the Financial Accountability Officer to give advice.

I’ll give you one off the top of my head: The TDSB, under your watch, was paying \$3,000 to switch an electric circuit. You know that in your own home, if you were to change an electric circuit—unless you could do it yourself—you’d look for the best price and the best quality for an electrician. You’d do that in your home,

but Premier, when it comes to taxpayers' dollars, why don't you do the sane, sensible thing? Why do you lock into a contract that costs \$3,000 for something that should be 10 times less expensive and shows respect for the taxpayer in this great province?

Hon. Kathleen O. Wynne: I think the Leader of the Opposition knows that we have already adopted 60% of the recommendations that Mr. Drummond put forward.

I want to talk about our plan, because the Leader of the Opposition is engaging in what really is magical thinking because there are no specifics about how he would move forward, except we know there would be deep cuts and slashes to programs across government and there would be a laying-off of thousands of teachers and thousands of people who work in the health care sector. What we're saying is that we believe that this is a time that we need to invest in infrastructure. We need to invest in roads and bridges and in transit across the province.

Interjection.

The Speaker (Hon. Dave Levac): The member from Halton, come to order.

Hon. Kathleen O. Wynne: We believe that skills and training is an area where there needs to be support. We need to make sure that all of the young people in this room today have the opportunities to develop the skills that they need to take part in the 21st century. Those are the kinds of investments that we're making. We think they should come along with us.

GOVERNMENT CONTRACTS

Mr. Tim Hudak: Back to the Premier on the same topic: Let me give you another example that Doug Holyday's bill would fix and why I think that you should support Mr. Holyday's bill. I think it's sensible. It's proven. It's working everywhere else, but for some reason you're standing in the way here in the province of Ontario.

Again, under your leadership, the Toronto District School Board, because they're locked into a particular contract with a government union, paid \$143 to install a pencil sharpener. If you were to go to Staples today, that same pencil sharpener would cost you \$20.

1050

So I ask you again, Premier: Why are you forcing taxpayers to pay \$143 for something that should cost \$20 maximum?

Hon. Kathleen O. Wynne: I know that the Leader of the Opposition is aware, or I assume he's aware, that the Toronto District School Board is—

Interjections.

The Speaker (Hon. Dave Levac): The member from Renfrew–Nipissing–Pembroke will come to order.

As soon as I sit down, the next person who decides to jump when there's quiet—I'll get you too.

Hon. Kathleen O. Wynne: My understanding is that the Toronto District School Board is moving to address these issues where there was a contract in place that was not reasonable, Mr. Speaker.

I think it's important to understand that at the base of this question that the Leader of the Opposition is asking is an attack on organized labour. That's actually at the root of it, because this right-to-work legislation that he has proposed that really is at the heart of his notion about where the economy should go is an attack on organized labour. It's an attack on the gains that organized labour has made over decades, and, in fact, would drive our workforce to the bottom. That's where he wants to go. We're not going to go there with him, Mr. Speaker.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Tim Hudak: I don't understand, Speaker, why the Premier is not supporting such a simple, proven concept. Everywhere else it has been tried, it has saved anywhere from 15% to 30% for the taxpayer.

Let me take this back to the big picture of why this is important. Not only does it then improve the quality of services, but it means we have more money to invest in maybe that new drug to help treat Parkinson's; to help treat cancer; money that we can actually use to balance the books. When we send that signal that we actually have our fiscal house in order, we get new investment, more jobs in our province. That means the young people here today for the model Parliament can find their future here in the province of Ontario, not out in Alberta or British Columbia.

Premier, I've given you two examples. I've got a whole list. I can go on and on, but I don't understand why you don't just give me yes for an answer. It's a sensible bill; it's proven; it's thoughtful. It's about time we made this happen in our province.

Hon. Kathleen O. Wynne: As I say, I have not seen the piece of legislation. I'm happy to read it and to look at it. But, Mr. Speaker, if there's anything specific in it, I'm happy to look at that.

Again, this is a savings question, and I pointed out that yesterday we announced retiree benefit changes. I will just say, Mr. Speaker, and correct my record, that it's \$1.2-billion savings over the next five years.

My hope is that the Leader of the Opposition would see that that's the kind of move that makes sense. That's the kind of work that we have been doing and we will continue to do. Then he would understand that investing in the future, investing in transit and roads and bridges across the province, investing in skills training for young people, making sure that our young people have opportunities, as they are getting in the youth employment strategy, for placements and job opportunities—that's the kind of work that is necessary right now, Mr. Speaker.

The Speaker (Hon. Dave Levac): Final supplementary.

Mr. Tim Hudak: Again, Premier, I don't think it's standing up for taxpayers when you're paying 10 times the cost for a pencil sharpener. Imagine the costs across government.

The Auditor General looked at your own spending in ServiceOntario, for example, and found that those that were in managed competition for ServiceOntario were three times cheaper than those that were government-run.

It seems eminently sensible. To me, that sends a signal that Ontario is open for business, for job creation again.

I'm on the side of taxpayers on this and I'm on the side of the young people who actually want to find a future in the province of Ontario. The problem I think with you is, you're on the side of the special interests who are getting rich off of these fat contracts. I guess the only reason why you can't give me a yes or no is that you've got to call Pat Dillon and the Working Families coalition and get their permission. Why are you on the side of special interests? Why don't you stand up for taxpayers, get our fiscal house in order and make Ontario open for investment and jobs again?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Premier.

Hon. Kathleen O. Wynne: I'm on the side of mothers and fathers and grandfathers and grandmothers across this province who want to make sure that their children have the opportunities that they need. I'm on the side of aunts and uncles who are taking their nieces and nephews to school, who are helping families get to school. They need transit. They need transportation opportunities to be able to help their families get to work and get back from work.

I'm on the side of young people who want a good start in life. There are already 7,600 young people who have had an opportunity through our youth employment strategy, Mr. Speaker. I'm on the side of those kids who want a future. I'm on the side of middle class families who want retirement security. That's who I'm on the side of.

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock. Be seated, please.

New question.

TAXATION

Ms. Andrea Horwath: My question is for the Premier. I am sending the Ontario Liberal platform for 2011 across to the Premier. These are the commitments that the Premier, as a candidate and campaign co-chair, took to the people when seeking support to sit here in this Legislature. Can the Premier tell me, Speaker, on which page the plan for new tolls, taxes and fees is?

Hon. Kathleen O. Wynne: Again, I'm happy to have this question. But I really have to say that it is amazing to me that the leader of the third party continues to dissemble on her position in terms of building transit in this province, Mr. Speaker, and investing in infrastructure. It's beyond me how the leader of the third party can actually believe that this is not a moment in our history when we need those kinds of investments, when people need those kinds of investments.

We know that productivity is lost because we don't have adequate transit in the GTA. We know that northern communities struggle to pay for their infrastructure. We know that those kinds of investments are necessary. So I

would have thought that, of all the people on the other side of the floor, the leader of the third party would have been a champion for those kinds of—

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock. Be seated, please.

I did get a chance to understand one of the words that the Premier said, and I would ask to—

Interjections.

The Speaker (Hon. Dave Levac): Excuse me. I would ask the Premier to withdraw.

Hon. Kathleen O. Wynne: I withdraw.

The Speaker (Hon. Dave Levac): Supplementary.

Ms. Andrea Horwath: My question was not answered. I thought the Premier should know that it's not there. In fact, it's exactly the opposite, Speaker: The Premier and her party promised the people that they would not raise taxes on households.

As campaign co-chair, is the Premier aware of the commitments that she was actually elected on?

Hon. Kathleen O. Wynne: There has been a lot of talk about change in Ontario. I wasn't the Premier in 2011. I'm the Premier now, Mr. Speaker. We have a new plan. That's what this last year has been about: It has been about a new plan. We do have a new plan—

Ms. Lisa MacLeod: I liked it when you weren't the Premier.

The Speaker (Hon. Dave Levac): The member from Nepean–Carleton will come to order.

Interjection.

The Speaker (Hon. Dave Levac): The member from Leeds–Grenville will come to order.

Finish, please.

Hon. Kathleen O. Wynne: The member for Nepean–Carleton might have liked it when I wasn't the leader, but I am the leader now, Mr. Speaker. We have a team that is very, very committed to making those investments. I look to the leader of the third party. I hope she will support us in investments in transit and take a position on building infrastructure across the province.

The Speaker (Hon. Dave Levac): Final supplementary.

Ms. Andrea Horwath: Speaker, it is not just the platform. The Liberals went out of their way—

Interjection.

The Speaker (Hon. Dave Levac): The Minister for Rural Affairs is now warned.

Carry on.

Ms. Andrea Horwath: The Liberals went out of their way, Speaker, to assure people that they would not raise taxes, tolls or fees. The Liberal leader went further: "Ontario families have made their contributions. We will not [raise taxes]." The party issued a statement saying, "Ontario Liberals have rejected tolls on existing provincial highways and consistently said no to tolls on the DVP or Gardiner Expressway."

Is the Premier ready to admit that she has no mandate to hit families with new taxes, tolls and fees?

1100

Hon. Kathleen O. Wynne: We have been, as a government, investing in transit since 2003. We're going to continue to do that, and so our position that we need a revenue stream to continue to build transit is completely consistent with what we have been doing.

But, Mr. Speaker, I would suggest to the leader of the third party that she talk to us about what's going on in her own caucus because there are members who actually agree that this is something that should be looked at. At a public meeting run by Metrolinx, the MPP for Davenport said, "We'll look at revenue tools to make sure they're fair and meet the purpose." At that same meeting, the MPP for Parkdale–High Park promised to cover 50% of the TTC's operational funding and said, "Do we need more money for transportation? Absolutely...." That's the NDP, Mr. Speaker. Those are the values—

Interjections.

The Speaker (Hon. Dave Levac): Be seated please. New question.

TAXATION

Ms. Andrea Horwath: My next question is for the Premier—in fact, the Premier who is the MPP for Don Valley West and who took \$4 billion out of Transit City when she was the minister.

Speaker, families haven't seen a raise in years, and they're watching the bills pile up. But instead of making life more affordable, instead of respecting the middle-class families that sent us here, the Premier is telling hard-working families that they're going to have to pay more—even after promising that she wouldn't. What does the Premier have to say to those families, Speaker?

Hon. Kathleen O. Wynne: I know that the leader of the third party is aware that when I was Minister of Transportation, that \$4 billion stayed in the transit build. It was reconfigured, but it stayed in. It was just a slower flow of dollars. She knows perfectly well that that was the case.

What I would say to families across the province is that we're working very hard to make sure that their lives are better, including investing in transportation infrastructure and transit, and also making changes like changes to the minimum wage, making sure that that minimum wage, as it increases over the coming years, is pegged to index to inflation. We're going to be bringing in legislation to create that indexation. I hope that the leader of the third party and her caucus would support that because I would think that the NDP would think it would be a good idea to have a rational plan for minimum wage going forward.

The Speaker (Hon. Dave Levac): Supplementary.

Ms. Andrea Horwath: Speaker, the Premier says she doesn't want to play Let's Make a Deal, but it seems that she can't deal with the commitments that she made to families in the last election. Once again, Liberals are looking to hit household budgets with new taxes after explicitly promising that they wouldn't.

What does the Premier have to say to those families, Speaker?

Hon. Kathleen O. Wynne: Well, again, Mr. Speaker, what I have to say to people across the province is, we are going to make investments in transportation and in infrastructure, including transit. We are going to do that in the fairest way possible. What I would have expected is that we would have had support from, quite frankly, both parties in the opposition, because I know that the PCs understand that having decent infrastructure and having modern infrastructure is important to the economy and actually saves businesses money. I especially would have expected from the NDP that they would have understood that that kind of investment is an investment in the future, and it's critical to the future well-being of people across this province.

The Speaker (Hon. Dave Levac): Final supplementary.

Ms. Andrea Horwath: Speaker, the Premier likes to talk about fairness, but this is what people see: New HST loopholes will let corporations write off the HST when they gas up the company car at the same time as Liberals create a brand new gas tax for the moms in Sudbury or Thunder Bay or Brampton—a party that was elected on a promise not to hit household budgets with new taxes, tolls and fees getting ready to do it yet again.

What does the Premier have to say to those moms and those families?

Hon. Kathleen O. Wynne: Again, I really believe that it's important that a government take leadership on the long-term issues that are going to affect people's lives. If we do nothing as a government but push aside those long-term issues and hold on to short-term quick fixes, then we are not doing our job.

I would say to the leader of the third party that it would be wonderful if we could have a conversation about retirement security, for example, as a long-term issue that is of concern across the country. I have no idea what the leader of the third party believes about what we should do in terms of retirement security.

I believe that having a CPP enhancement would have been the best way forward. The federal government doesn't want to do that. We are going to put together an Ontario plan. I hope that the leader of the third party will see that as worthy of her support, as it will make a huge difference to people into the future.

GOVERNMENT CONTRACTS

Mr. Douglas C. Holyday: My question is for the Premier. Premier, I hope I'm reading you incorrectly, because I seem to sense that you've already taken a position on the bill that I'm about to put forward this afternoon. I want to assure you that this is not to do with politics; it's to do with good management of the government and it's to do with the best use of scarce resources, that being tax dollars.

We found out in municipalities, particularly the municipality of Toronto, that we could save a lot of money if

we would just look outside of the way we're normally providing service. Now, I think that all municipalities should do this, but I think the lead has got to come from the province of Ontario, and that's what the bill is all about. We're asking the Financial Accountability Officer to report to the Legislature on opportunities to use alternate service delivery to save money.

This can be done, and it's only a review of the matter, but it needs your support, and I'm urging you to please support it. A lot of money can be saved if we do this. Will you support it?

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock, please. Be seated, please. Thank you.

Premier?

Hon. Kathleen O. Wynne: I know the Minister of Government Services is going to want to speak on the specifics. As I said, I haven't read the bill. I know it was just released this morning, and I was in meetings; I have not had a chance to look at the legislation. I don't know what the specifics are.

We are world leaders, as the Minister of Transportation is noting, in our alternative financing procurement. We have developed very strong alternative models of financing and procurement, and we continue to do that work.

I understand the analogy that was made this morning was with the city of Toronto contracting out garbage. Well, we don't pick up garbage. We don't have that function, so I don't know exactly what functions the member is talking about. We'll look at the legislation, and we'll take it from there.

Interjections.

The Speaker (Hon. Dave Levac): It's obvious to me that there are two things happening here. Oh, don't point your finger. Don't you dare point your finger.

We've got two different conversations going on. That's not helpful, and it's also not helpful to do the shout-down stuff that's happening, so let's just bring it down, please.

Supplementary.

Mr. Douglas C. Holyday: Yes, to the Premier: This is also recommended in the Drummond report; it's in the 40% that you haven't done. It's also recommended by the Ontario Chamber of Commerce that we take a look at alternate service delivery. It's a good way to reduce the cost of this government. It can be done.

The city of Toronto could save \$35 million contracting out its garbage for the entire city. It should have been done in 2000, but it wasn't done, so that means from 2000 to now—12 years—they've wasted over \$400 million of taxpayers' dollars. At the same time, they come up here to the province, cap in hand, on one knee, begging for money to balance their own budget when they wouldn't do the things that were needed to do it themselves.

Now, I want to put us in the position of being able to balance our own budget, save the money that we can save, provide the service that we need to provide, and do it in the best way. Will you support it?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Premier?

Hon. Kathleen O. Wynne: Minister of Government Services.

Hon. John Milloy: You know, Mr. Speaker, at first, in passing, I'm surprised that the member, as the critic for the Ministry of Government Services, wouldn't have stood up today and congratulated the government on our move yesterday on retiree benefits, which will save some \$1.2 billion.

I'm not sure where the member has been for the last number of years. I realize he hasn't been in the Legislature, but he would have seen that our government has taken numerous steps to find more creative ways to deliver services to the people of Ontario in an efficient and productive way. But, Mr. Speaker, we have been driven by what makes sense, not by the type of ideology that we've seen from across the way, the type that has led to the let's-have-right-to-work-for-less legislation, privatization.

1110

I'm not prepared today to stand here and take lessons from the party that brought us privatization of the 407 on how government can bring forward these services.

MINING INDUSTRY

Mr. Michael Mantha: My question is to the Minister of Northern Development and Mines. In November of last year, after Cliffs announced it would stop operations in the Ring of Fire, the minister hastily announced the creation of a development corporation. Several NDP attempts for information on this new development corporation were called "premature" by the government. Even the federal government is requesting details that the province just doesn't have.

Last Friday, the ministry announced that it had hired consultant firm Deloitte to set up a development corporation, the same development corporation that had already been announced three months prior. How much is Deloitte getting paid to come up with a project that the Liberal government already announced it had created?

Hon. Michael Gravelle: Thank you for the question. May I say, Mr. Speaker, that despite the lack of support that we're getting from the other side of the House, we are making important and significant progress on the Ring of Fire, and may I say that the creation of the development corporation is absolutely key to that.

We recognize that there need to be decisions made related to infrastructure. We know that in terms of the project moving forward, we have got to be able to get the resources out of the Ring of Fire and, obviously, to market. That's why that's so important.

We also, working with our potential partners, certainly including industry, First Nations and potentially the federal government—hopefully—recognize that we want to move forward with the kind of expertise that Deloitte

can provide to us. They have the governance expertise and they have the legal expertise to be able to pull this together in terms of making the decision on infrastructure.

There are other aspects that I do want to speak about, particularly related to how important our work with the First Nations is, and perhaps I'll get to that in the supplementary.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Michael Mantha: Again to the minister: For the past three years, the NDP has been calling on the government to take a leadership role in creating a real plan that will benefit job creation in the province. Time and time again, the government kept using rosy press releases on agreements, without facts to back them up. Hiring Deloitte is an admission that the government never had a plan for Ring of Fire development in the first place.

Will this government stop giving out consulting contracts to outside firms and do its job by coming up with a serious plan for Ring of Fire development instead of wasting another five years?

Hon. Michael Gravelle: We have spoken so very often, certainly the Premier has and other members of our government, about how important it is to get it right, and indeed it is very important that we get it right. That's why, indeed, I think we're getting support from our industry partners and getting support from many others in terms of the retention of Deloitte being that key to probably pulling the establishment of the development corporation together. It's crucial.

But also on that parallel path are the very important negotiations that are taking place between the province, led by Frank Iacobucci, and by Mr. Rae, representing Matawa First Nations. We're working very hard to bringing that to a position where we can make a more formal announcement of that moving forward. That's crucial to this as well. I know the member knows that.

But in terms of the development corporation, we are moving forward in a very positive way. We're getting support for the work for the development corporation and support for the work that Deloitte will give in terms of the expertise they can provide to us.

ENVIRONMENTAL PROTECTION

Mr. John Fraser: My question is for the Minister of the Environment. My constituents have raised a number of concerns regarding the previous session. Particularly, they've observed the government's troubles in advancing laws to address the challenges faced by our environment here in Ontario.

Those who care about Ontario's environment were dismayed to watch the Protection of Public Participation Act addressed on five separate occasions over the past nine months without progressing to a vote. Further, the official opposition ate up much of committee time on the Great Lakes Protection Act, allowing only four amendments to be voted on.

Mr. Speaker, through you, can the minister please speak to the speed of environmental bills moving through this Legislature?

Hon. James J. Bradley: Mr. Speaker, I do understand the concerns of his constituents. Our government understands that Ontario's environment is always fragile. In order to restore and preserve its beauty and value for the current as well as for future generations, action has to be taken now. Economic and environmental opportunities, I think, are being lost. That's as a result, I think, of political jockeying, which happens in this House from time to time, mainly when I hear the bells ringing and prolonged debates and so on.

I recognize that the Conservative Party has chosen to be against many of these environmental initiatives; that's their business. That's why we're appealing to the New Democratic Party to try to form a green majority, if you will, to pass these four bills. I've directed a letter to my good colleagues, the New Democratic Party, who have been supportive of this legislation, to help us out with this programming motion. I hope they will give it some favourable consideration because I think it would advance the cause of the environment.

The Speaker (Hon. Dave Levac): Stop the clock. Thank you.

I heard the question, and it was getting desperately close not to being on government policy. The minister was good enough to tight-rope-walk that, but I'm going to ask—and listen carefully to the supplementary—that it's about government policy.

Carry on.

Interjections.

The Speaker (Hon. Dave Levac): And I don't need some quarterbacks.

Mr. John Fraser: Again, my question is for the Minister of the Environment. Residents of Ottawa South will be pleased to hear that our government is seeking the support of the third party to work towards the greater cause of protecting Ontario's environment.

It is a shame that the economic and environmental opportunities were lost in the previous session due to political games being played by the official opposition. Speaker, through you, would the Minister of the Environment please remind the people of Ontario why we need to pass these important pieces of environmental legislation and how they would ensure a healthier future for our environment and our economy?

Hon. James J. Bradley: It's an excellent question. We need these laws to protect the Great Lakes, for example, and that's Bill 6. We have widespread support for the proposed Great Lakes Protection Act from health and environmental groups as well as municipalities. We need to expand recycling. The Waste Reduction Act would, if passed, create new opportunities for business investment and jobs by harnessing the economic value of waste. We need these laws to stop polluters from intimidating community groups who are trying to protect their own neighbourhoods.

Again, I respect the fact that the Conservative Party has decided to be against most of these environmental laws—one not, but most of them. That is why I am asking all members of the House, including my colleagues in the New Democratic Party who have spoken in

favour of these bills in the House and in committee, to work with us. We want to get these bills moving so we can continue our consultation with the stakeholders and provide them with the opportunity to present their advice and recommendations to all members of committee. That's the way the House should work, and I hope that's going to be the case.

EMERGENCY PREPAREDNESS

Ms. Lisa MacLeod: My question is to the Premier. During the recent ice storm and the power outage, it was clear that the province's emergency management preparedness plan was either ignored or it was lacking, or perhaps it was both. Whether it was the disregard of basic communications channels—

Interjections.

The Speaker (Hon. Dave Levac): Order. All right. Let's go to the people now.

Ms. Lisa MacLeod: Whether it was a disregard for basic communication channels of operation to opposition MPPs or the glaring reality that politics, not progress, was behind the giveaway gift card fiasco, it was clear that this government put postal-code politics ahead of plans for Ontarians. In the aftermath of the ice storm, the Ontario Progressive Conservative caucus asked for a select committee to study the province's emergency preparedness protocol for quicker response in the future. I'm sending my page over with our direct request to the government House leader as well as our proposal, and I would ask that the Premier stand in her place and agree with that—

The Speaker (Hon. Dave Levac): Thank you. Premier.

Hon. Kathleen O. Wynne: Thank you very much, Mr. Speaker. I can tell you, having met every day during the ice storm with the leadership from Emergency Management Ontario and Hydro One, I know that they were on the ground in every community that was struck by the ice storm and they were working hard to make sure that all of those lines were reconnected and that people got their power back. They did it around the clock. There were workers on the ground. It was complicated. It was complicated because of the tree coverage. It was complicated because of the breadth of the storm, but the fact is that those workers were on the ground, and their leadership was engaged across government to make sure that every resource, whether there was an emergency declared or not—and the member opposite knows that there were not emergencies declared except in one jurisdiction. Across the board in every jurisdiction, every resource was available to communities.

Interjection.

1120

The Speaker (Hon. Dave Levac): The member from Northumberland will come to order.

Carry on.

Ms. Lisa MacLeod: The workers' leadership is not in question. It is your leadership that is in question. This wasn't just a Toronto issue. Opposition members of the

Legislature, even from Toronto, never received verbal briefings from you, your energy minister or anyone over there. You chose to give out gift cards in the city of Toronto, but not to opposition areas until much later in the day. Your own energy minister was missing in action. And I will say this, Minister: You showed leadership—

Interjections.

The Speaker (Hon. Dave Levac): The Minister of Education will come to order.

Interjection.

The Speaker (Hon. Dave Levac): I'm going to say it again, just to make sure you heard it: The Minister of Education will come to order. And then the member from Renfrew is prepared to receive another one; I will give it to him, but he's on the edge.

Please finish.

Ms. Lisa MacLeod: When the Minister of Energy was mayor of Ottawa and regional chair, he actually displayed leadership in a time of crisis. I don't know what has changed with him. Perhaps he's now a lapdog for this government.

But what is unacceptable was their postal-code politics that were played in the city of Toronto, in seats that they could win, at the expense of people in other affected areas.

Let me ask the Premier this one more time: Will you call the select committee? Will you put progress before politics?

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock. Be seated, please.

Premier.

Hon. Kathleen O. Wynne: I really have to say that I honestly believe that this is a shameful question, because the fact is that there were people working across the province. The member opposite knows perfectly well that the gift card program, which was a small part of our attempt to offer some support, was offered in every community. Every municipality that was affected was offered it, and they took it up, and the member opposite knows that. My understanding is that the member for Nepean-Carleton's office was offered a briefing, and that was declined.

Interjections.

The Speaker (Hon. Dave Levac): Stop the clock. I am looking for some decorum. I resent that, when I do get control and we do get calm, somebody uses it as an opportunity to start it again.

You have 10 seconds.

Hon. Kathleen O. Wynne: I said that it was my understanding. If that's not the case, then we will look into that. There are two reviews that are happening as a part of the response to the ice storm. There's the after-action report and the supply chain review. It—

The Speaker (Hon. Dave Levac): Thank you. New question.

HEALTH CARE

M^{me} France Gélinas: Ma question est pour la ministre de la Santé et des Soins de longue durée.

Seventy-two-year-old Kelemua Esayase is a very sick woman. She, like 600 other people seeking care at Trillium Health Group in Toronto, had her CT scan read incorrectly by a radiologist. Due to this error, Mrs. Esayase's cancer was not diagnosed, and the treatment was not provided. This hospital has admitted to Mrs. Esayase that they made a mistake, that they made an error.

Does the minister think that it is sufficient for the hospital to admit that they've made a mistake, or do they have a responsibility to help and care for patients like Mrs. Esayase who have suffered because of these errors?

Hon. Deborah Matthews: Thank you to the member opposite for the question. Of course, I am prohibited from speaking about individual cases, but I can assure you that all individuals with urgent care needs are treated in our hospitals, regardless of their coverage. That is an obligation under the Public Hospitals Act, that people are treated. Hospitals cannot refuse to treat or admit an individual if the refusal would thereby endanger the person's life, regardless of the individual's residency or insurance status. So, Speaker, this, of course, is an issue that I think everyone is concerned about and is investigating what has happened in this particular situation.

The Speaker (Hon. Dave Levac): Supplementary?

M^{me} France Gélinas: Speaker, after months of misdiagnosis, Mrs. Esayase's ovarian cancer was finally caught but at an advanced stage. Then the worst happened: Surgeons refused to operate.

The family feels abandoned by the health care system and by the hospital. They feel that their mother is paying with her life for their mistakes.

Speaker, the minister must hold the hospital accountable. She has to make sure that they take responsibility for their mistakes and the way they impact patients. When will the minister do her job and ensure that hospitals do their part to help people affected like Mrs. Esayase?

Hon. Deborah Matthews: Well, Speaker, I can assure you that Trillium Health Partners is actively working with the patient and the family to address their concerns. That work is ongoing. I can also tell you that Cancer Care Ontario has put in place evidence-based protocols for determining when patients need chemotherapy or surgery. Ultimately, physicians are responsible for making health care decisions in consultation with patients and their families.

Speaker, I can assure you that people who work in health care in the province of Ontario are as fine a group of people as we could find anywhere on earth. They are dedicated to providing the highest possible quality of care to patients, and if something does go wrong, they are the first to look at that and say, "What can we do to make sure this does not happen again?"

PUBLIC TRANSIT

Mr. Shafiq Qaadri: Ma question est pour le ministre des Transports et de l'Infrastructure, the Honourable

Glen Murray. Minister, I'd just like to first of all take this opportunity publicly to thank you for taking time recently to visit my own riding of Etobicoke North to make an important announcement which, of course, will be a benefit to my constituents.

Of course, I'm well aware of how our government is making record investments in public transit, and these will have echoing and recurring benefits for all of my residents. My constituents rely on GO trains and buses to get to and from work and school, as well as to transport family, friends and visitors to our vibrant community. The GO system helps to reduce congestion on the roads and helps to keep our air clean.

Minister, I would ask you to please inform this House, and through this chamber, as well my own residents, about some of the details of the transit investment that we recently announced together.

Hon. Glen R. Murray: I want to thank my friend from Etobicoke North parce qu'il parle français de temps en temps ici, ce qui est très important, but more importantly because he is a huge advocate for transit. He has fought very hard for the people in Etobicoke North to see some very basic improvements.

What we're seeing right now at the Etobicoke North station is an expansion of the platform so it can handle 12-car trains. Very importantly, the station is being rebuilt so it can be wheelchair accessible, which is a huge priority for us, to ensure that we are meeting our commitments to universal accessibility. We're improving the bus loop, and, as for many Ontarians, heated shelters, which, this winter, is a particular gift. Also, in communities where people use their cars within those communities, we are adding a 200-lot parking garage, Mr. Speaker—a very big improvement for the people of Etobicoke.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Shafiq Qaadri: Thank you, Minister. I'd like to, of course, formally and officially thank you for the update and the upgrade to the Etobicoke North GO station.

I know my community continues to benefit from the ongoing investments that our government is making, whether we're talking about health care, community safety or, in this case, transportation and infrastructure.

1130

Nevertheless, adding to the list of troubling policy commitments that the honourable Leader of the Opposition is making, I was a little bit dismayed to learn that he might halt infrastructure spending for communities like mine.

Speaker, through you to the Minister of Transportation, would the minister please inform this House: What are some of the investments that we're making in communities across Ontario?

Hon. Glen R. Murray: One of the areas that we don't talk a lot about is our highway program, which is almost \$3 billion, Mr. Speaker. We're working right now on twinning highways across northern Ontario. The Windsor-Essex parkway now—not only has it been a success in the sense that we're building one of the most important trade routes, but it has actually provoked the construction

of the new presidential bridge—the most important trade corridor.

But, Mr. Speaker, to maintain economic growth and jobs, we have to spend 5% of our GDP on infrastructure. Anything less would mean a loss of jobs and competitiveness. We're very proud that after 30 years of less than one quarter of 1% being spent by this government, we are now at 2% of GDP, or about \$13 billion.

The municipalities are doing their job. They've reached the 1% goal of GDP. The federal government, Mr. Flaherty—he sat in this House as a finance minister. I commend him; he has been incredibly consistent. He has now got the federal government down to somewhere between a quarter and a half of GDP, which will kill jobs and undermine the future of our economy.

ONTARIO COLLEGE OF TRADES

Mr. Garfield Dunlop: My question today is for the Minister of Training, Colleges and Universities. Minister, you know by now that your outdated ratio system is costing tens of thousands of Ontario citizens, citizens like these young men and women in the audience here today, an opportunity of a good career in the trades. You must surely know that by now. Our young people are taking their apprenticeships in BC and Alberta while you dither and allow the Ontario College of Trades to become a new barrier for job creation and economic growth right here in this province. You brag about seeing more women and more aboriginals enter the trades, yet they are the first to be subjected to your three-to-one ratio system that is costing them valuable opportunities.

When, Minister, can we expect to see you get on the side of young men and women and support the position of Tim Hudak and the PC caucus and support a one-to-one ratio system here in the province of Ontario?

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Hon. Brad Duguid: With all of these young people here today, what a great opportunity for me to have to smoke out the party opposite on their position when it comes to ratios. I want to say to the young people—through you, Mr. Speaker—here today that when that party was in office, in eight years, they reduced apprenticeship trade ratios by zero. The NDP, in all of their years in office, had one. In our years of office, before the College of Trades got put in place, we did eight reductions—eight times more than the NDP. I can't do the math because they did zero. Since the College of Trades has been up and running, they've done 14 in less than a year. So we've done 22 trade ratio reductions, compared to zero that you did when you were in office. I think that's a pretty darn good track record. I think that people in this audience can add a lot better than you can.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Garfield Dunlop: Well, Mr. Speaker, that is the same boring and uninformed message that you have been subjected to for months. The fact of the matter is that

only two trades have been approved by your cabinet: floor covering installer and cement finisher. The other 22 are a joke. You've never approved anything—nothing you've approved. And just yesterday, your Ontario College of Trades regulation review committee had an emergency meeting to pass regulations for the 22 trades that you have been saying are already passed. That was following a letter to Ron Johnson by the Ontario home builders, so you went right into panic mode.

We already know that the ratio review teams are too biased to go to a one-to-one ratio, but at least, Minister, when will you finally get cabinet approval to change some of the ratios when, in fact, you could have done this earlier this year? You could have done it without even forming the Ontario College of Trades. You could have done it yourself, if you want to brag about that. We don't need the Ontario College of Trades. Let's abolish it once and forever. Get rid of this mess.

Interjections.

The Speaker (Hon. Dave Levac): Be seated, please. Thank you.

Hon. Brad Duguid: Mr. Speaker, I think if the member really cared about the people in the audience here today and if he cared about young apprentices, he would want to support the College of Trades because the College of Trades has a mandate to promote skilled trades with our young people. It has a mandate to provide skilled tradespeople with the ability to govern themselves.

What he's not saying to the young people here today is he wants to go back to the days when politicians ran the skilled trades, back in the Tory days when we had zero trade ratio changes.

Young people in this province don't want to go back to Mike Harris. Young people want to move forward with a Liberal government that's going to continue to grow the skilled trades, going to continue to help young people get into the skilled trades. That's what the College of Trades is going to do.

Stop the politics. Start standing up for the young people of this province.

FIRE SAFETY

Mr. Paul Miller: My question is to the Minister of Community Safety.

Speaker, in the wake of the horrendous retirement home fire in L'Isle-Verte, Quebec, on January 23, the Minister of Health was quoted as saying on CBC, "One thing she wants to do is go back and look at accelerating the mandatory installation of the sprinklers.

"Sprinklers are being installed in older long-term-care homes operated by the Ministry of Health as it rebuilds its facilities, but that program is scheduled to last until 2025."

Speaker, the Minister of Health says she'll accelerate implementation in government care facilities, but can the minister explain if the government has a plan for

protecting the vulnerable people in our province who live in the other facilities—and when?

Hon. Madeleine Meilleur: Thank you very much for this question. I know that the Minister of Health would like to answer the second question.

First of all, what happened in L'Isle-Verte, Quebec, is very, very unfortunate. My heart goes out to the families who lost loved ones there.

We are very proud to be the first province to make sprinklers mandatory in existing retirement homes and long-term-care facilities. It was not an easy process, but we did it with everybody at the table. I want to take this opportunity today, Mr. Speaker, to thank all of those who came to the table and were willing to compromise to make sure that we achieved this very important milestone in public safety. Let me say again that we are the only government in the country to do this.

We'll continue to make sure that our seniors are safe in their facilities.

The Speaker (Hon. Dave Levac): Supplementary?

Mr. Paul Miller: Speaker, the Ontario Association of Fire Chiefs worked on the issue for years with very slow success. From the time I raised this issue until the 2013 consultation, six seniors lost their lives in retirement home fires, while this minister did nothing. Those deaths didn't inspire her to get moving more quickly on the issue, but sadly it seems to have taken the recent tragedy to get her colleague moving on it. Even in the wake of the comments by her colleague, this minister has done nothing to address the implementation periods for the regulations passed by this cabinet last spring.

Will this minister commit to providing an update this week on the status of the implementation of the new regulations, and provide this Legislature with an accelerated timeline for each part of the regulations, to protect the people of this province?

Hon. Madeleine Meilleur: Minister of Health.

Hon. Deborah Matthews: Any time there is a tragedy like we saw in L'Isle-Verte, of course we all look to see what lessons can be learned, and that's exactly what we are doing.

I think it's important to note that 70% of our long-term-care homes do have sprinklers. The remaining 30% are slated for redevelopment, to bring them up to today's standards, which of course will include sprinklers.

It is important to note that it's not only about sprinklers when it comes to fire safety, Speaker. We have taken significant steps to make sure that all of our residents are as safe as can be. In fact, we've provided \$20 million to support long-term-care homes to come up to code, to develop evacuation plans, to develop safety plans, enhance fire protection equipment, fire safety training for staff. All of our long-term-care homes must, and do, have a comprehensive fire safety plan.

YOUTH EMPLOYMENT

Ms. Soo Wong: My question is for the Minister of Children and Youth Services.

In Ontario, we have some of the best and brightest young minds. What is encouraging is that many of them want to give back to their community. They're talented, creative and driven.

1140

In my riding of Scarborough–Agincourt, I know that many of the young people, like Kevin Vuong, George Xu, Alice Wang, Akehil Johnson and Tamara Myazada, are not afraid to step up in terms of a challenge and be part of the solution. Like many young people in Ontario, they need our help. They need mentorship. They need guidance to realize their full potential.

In fall 2013, our government announced new funding for youth programs at MaRS Discovery District. Through you, Mr. Speaker, can the Minister of Children and Youth Services tell the House what is included in the curriculum of this program and tell us more about the status of this initiative?

Hon. Teresa Piruzza: Thank you to the member from Scarborough–Agincourt for this very important question today. The member is right: Ontario has many exceptional, globally minded youth who are passionate about their communities and about making a difference in their communities. In fact, there are a number of them with us here today.

We recognize that for them to realize their potential and succeed, they need to build the right skills, have access to the right resources and make the right connections. That's why I'm proud that our government is investing in the MaRS Discovery District's Studio Y Ontario social impact and youth leadership academy, with their first group of cohorts with us today. Fellows at Studio Y will take part in an intensive skills development curriculum. It will include training in leadership, project management, entrepreneurship, community-building and governance.

In January, I had the opportunity to meet the first cohort, and I was amazed by their positive energy. These promising youth have the drive, determination and talent to become leaders capable of making positive social change in Ontario for years to come.

The Speaker (Hon. Dave Levac): Supplementary.

Ms. Soo Wong: I thank the minister for that response. I'm pleased to hear that the Studio Y program at MaRS is up and running. It consists of a promising group of young people. The skills that these young people will develop at MaRS will undoubtedly help them have an impact in the community. When we empower young people with skills and talents, they will also make our province more prosperous and fair, and it will benefit all of us.

Minister, I understand that in January, during your tour, you made a challenge to the Studio Y cohort. Through you, Mr. Speaker, can the minister please share with the House the challenge that she issued to youth in Ontario?

Hon. Teresa Piruzza: Thank you again. Yes. As I indicated, the program focuses on community-building and good governance. I wanted to provide the fellows with an opportunity to get involved in shaping actual public policy.

As we all know, one of the programs in my ministry currently is the student nutrition program, a program that provides close to 700,000 children each year with nutritious food every day. Some of the agencies that deliver this program have identified challenges in effectively purchasing, storing and distributing program food. So I issued a challenge to the group, and this is the challenge: to apply their creativity to explore and design innovative solutions to generate greater efficiencies in food purchase, distribution and storage, to maximize the impact of the program.

Their work will help us to better deliver a great program in schools. I look forward to hearing about their progress and their final recommendations at the end.

MINING INDUSTRY

Mr. Norm Miller: My question is to the Minister of Northern Development and Mines. Minister, it has been three months since you announced plans for a Ring of Fire development corporation. Since then, it has become increasingly clear that your November announcement was just a last-ditch effort to provide cover for Cliffs' decision to pull out of the Ring of Fire. Now your recent decision to enlist third party advice has all the makings of another empty press release from a government desperate for a good-news story.

On the Ring of Fire, your government is big on announcements but very light on specifics. So, Minister, please answer my simple question: Is your much-talked-about Ring of Fire development corporation even incorporated?

Hon. Michael Gravelle: Listen: We are making very significant process on the Ring of Fire project. One of the important aspects of that is indeed the creation of the development corporation. We're working very closely with our many potential partners. We're working very closely now with—

Interjection.

The Speaker (Hon. Dave Levac): The member from Durham will withdraw.

Mr. John O'Toole: Withdraw.

Hon. Michael Gravelle: We're working with their strong support in terms of the retention of Deloitte, which has the expertise in governance and putting together corporations such as this, so we're going to continue to work with them.

What we would like to see would be more support, may I say, from the members on the opposite side of the House—perhaps support very directly connected to the federal government. We have made it very clear that we are prepared to make a very significant investment in the Ring of Fire, recognizing how important the infrastructure aspects are—

The Speaker (Hon. Dave Levac): Thank you.

Hon. Michael Gravelle: —and it would be great to have the federal government on side. The Premier had a meeting with the Prime Minister—

The Speaker (Hon. Dave Levac): Thank you. Supplementary?

Mr. Norm Miller: I didn't hear an answer to my question about whether the development corporation is incorporated, despite the announcement a few months ago. I find it hard to imagine how anybody could trust your government on this file.

We're still waiting for the "Thousands of Jobs Coming to Northern Ontario" promised in your government press release dated May 9, 2012. Here we are two years later, and still no jobs.

Now your plan is to hire a consultant to provide advice, and we've watched as your government ignored taxpayer-funded expert advice in the past. It's no secret that establishing a transportation link is critical to the project. Minister, why has your government stalled in the past two years on creating reliable access to the Ring of Fire?

Hon. Michael Gravelle: We have made it so very, very clear how important it is to get this project right, and we're determined to get it right. We're getting the kind of support that we would like to have in terms of the formation of the development corporation from our partners, a very good, positive response about the announcement and about the retention of a company such as Deloitte with the expertise they have.

But it's also very important that we get it right in terms of the work we're doing with First Nations. Again, it would be great to have your support in that regard. Clearly, the work that we are doing with the Matawa First Nations, with our negotiator, Mr. Iacobucci, Mr. Rae representing Matawa, is absolutely vital because we need their support. We're on a parallel path.

This project is one that we all need to be very keen on working together on. It's a complex one. The progress is being made in a very, very significant way, and again, it would be wonderful to have your support to persuade the federal government to recognize how important it is that they make a substantial contribution to this project as well.

CORRECTION OF RECORD

The Speaker (Hon. Dave Levac): The Premier on a point of order.

Hon. Kathleen O. Wynne: On a point of order, Mr. Speaker: I just want to correct my record. The question that was asked by the member for Nepean–Carleton: The Minister of Energy's office did offer a briefing on December 24 to the member. Her office replied six days later and did not take up the offer. Energy did provide updates to critics and, in fact, briefed the member for—

Interjections.

The Speaker (Hon. Dave Levac): Order. There is a fine line between correcting one's record and adding extra comments. I will take that as an actual corrected record. However, having said that, I'm not privy to the last piece that you had said.

I did see the member from Nepean–Carleton rise on a point of order.

Ms. Lisa MacLeod: Sure. I do appreciate the press release that the Minister of Energy's office sent to me. I could have found it on the website, however.

VISITORS

Mr. Bill Walker: I'd like to introduce Kersti Landra and Rheanne Perry, two members of model Parliament, from the great riding of Bruce–Grey–Owen Sound.

Hon. Deborah Matthews: Welcome to Melissa Kargiannakis from London, Ontario, who has joined us today, and I'm sure learned a lot.

Ms. Catherine Fife: I'd like to introduce Joshua Vito and Victoria Yang, also from Kitchener–Waterloo, for the model Parliament.

Mr. Randy Pettapiece: I'd like to welcome Katherine Hopf and Ana Staffen from my riding of Perth–Wellington.

Mr. Mike Colle: I'd like to note and introduce the creator of Gananoque ale, who is here all the way from Gananoque, Ontario.

The Speaker (Hon. Dave Levac): There are no deferred votes. This House stands recessed until 3 p.m. this afternoon.

The House recessed from 1149 to 1500.

INTRODUCTION OF VISITORS

Mr. Jagmeet Singh: I'd like to welcome members from my riding who are participating in the model Parliament: Gurpreet Kaur Badesha, as well as Andrew Wilson. Please join me in welcoming them to the assembly today.

MEMBERS' STATEMENTS

GREEN ENERGY ACT

Ms. Lisa MacLeod: It is a pleasure for me to rise today on behalf of Tim Hudak and the Ontario PC Party to recommit to our position to scrap the Green Energy Act, once elected. That means we would expeditiously move to remove subsidies on wind and solar. We would restore locally based decision-making and we would ensure that there was a moratorium placed on any future wind developments until there are proper environmental and health effect studies assessed.

The Green Energy Act has been disastrous for rural Ontario, but it has also been disastrous for anybody paying a hydro bill in Ontario today. They are putting up almost \$22 billion to pay for this green energy scheme. It is unfortunate that there are people out there today trying to distort the Ontario Progressive Conservative position on wind energy for their own political gain because too many people in Ontario, like Esther Wrightman, rely on

the Progressive Conservative Party to form a government so that we'll be able to fight this terrible plan and repeal it.

Esther, it's important to note, is being sued by a company that she stood up against. They're called NextEra. Esther called them "NEXterror," so they are suing this young mother for money she does not have because she took a stand in her community.

Speaker, I say this: The Progressive Conservative Party stands with Esther, folks like her, and for Ontario.

STEEL INDUSTRY

Mr. Peter Tabuns: The labour minister needs to act to help resolve the six-month-long strike by 120 members of United Steelworkers at the Crown Holdings plant in Toronto. It is not enough to simply have a mediator involved.

Steelworkers have visited with Liberal MPPs because most of the members live in their ridings. These legislators promised to ask the labour minister to intervene. The Steelworkers also received a letter from Premier Wynne stating she would ask the minister to inquire. To date, the striking members have heard nothing from the minister.

This is no ordinary strike. It reflects what is wrong with our labour laws. This Philadelphia-based multinational forced these workers on strike soon after doubling its profits and giving the Toronto workers an award for their outstanding performance. But Crown's real reward was to demand a permanent wage cut of \$9 per hour for new and younger workers, which would doom them to a life of poverty. The Steelworker members are striking not just for themselves but for the next generation and to prevent Canada from becoming a low-wage country. They are real heroes.

Crown is highly profitable and does not need these cuts. It forced this strike because it can. The CEO earns \$6,000 per hour. This is a David-versus-Goliath fight and reflects an extraordinary abuse of human and labour rights. It requires the government to take sides, speak out and use its full power to stand up for Ontario workers.

BLACK HISTORY MONTH

Ms. Mitzi Hunter: Today I'm honoured to rise to speak about the importance of Black History Month as a member of the black community myself and as someone who has had her own personal and professional growth rooted in the black community.

Every February, we celebrate the contributions made by those who came before us. We remember their bravery and their leadership during the most difficult of times. In working to gain equality for all—political, social and economic—Ontario and Canada have been enriched and strengthened by these contributions. We would not be the province or the country we are today had it not been for the trailblazers in the black community.

I was so pleased to see the cover of *Toronto Press Today*. One of the gentlemen, Judge Stanley Grizzle, is on the cover. I remember, when I was in high school, I was the student council president and had the honour of introducing him to my student body.

We continue to celebrate the history of the black community in Canada, and this ensures that we as a province continue to uphold the ideals of equality for all people regardless of race, gender and/or creed.

I'm proud to stand behind a Premier and a government that is committed to providing opportunities to all, to allow every Ontarian to reach their full potential and consistently prove that as one Ontario, our diversity and our acceptance of all people is our greatest strength.

DARA HOWELL

Mr. Norm Miller: I rise in this House today to recognize a truly world-class athlete from my riding. I'd like to congratulate Dara Howell on winning the first-ever gold medal awarded in women's slopestyle skiing at the Winter Olympics that are currently being held in Sochi, Russia.

Dara grew up in the town of Huntsville, specifically at Pow Wow Point Lodge in the beautiful riding of Parry Sound–Muskoka. I have great memories of skiing at Hidden Valley Highlands and seeing her family, the Howell family—Doug and Dee, her parents, the kids, and grandparents Jack and Jacquie—there enjoying skiing. I know they are a big part of her success and provided all kinds of support for Dara.

Dara joins an elite group of athletes from Parry Sound–Muskoka who have competed in the Olympics. Downhill skier Liisa Savijarvi and sledge hockey player Graeme Murray come to mind.

The outpouring of community support and plans for what I'm sure will be a tremendous homecoming show how we have all been able to share in her victory. To accomplish this feat at only 19 years of age is truly remarkable. Dara has made not only Parry Sound–Muskoka proud but the entire country proud.

Congratulations, Dara.

EVENTS IN UKRAINE

Ms. Cheri DiNovo: I stand because I am so proud and privileged to represent many Ukrainian Canadians in my riding. I'm also proud that I'm the only member of provincial Parliament that got to co-author two bills: one, the Ukrainian Heritage Day Act, and also the Holodomor act, which declared the Holodomor a genocide.

But I stand in great consternation and dismay, Mr. Speaker, because of the situations unfolding in Ukraine, particularly in Kiev, where we now have news that over 28 people have been killed.

I stand calling on the federal government to do more than it has, to do more than express their concern, to do more than offer help to the protesters, whose civil rights have been completely disregarded. We are calling upon

the federal government to actually impose targeted sanctions against those in the government in Ukraine who are responsible for disregarding those human rights.

My thoughts and prayers go out to all Ukrainian Canadians who may have relatives still in Ukraine, and my prayers and thoughts go out to those who are in the streets fighting for democracy and human rights, in Kiev and throughout Ukraine.

VIOLENCE AGAINST WOMEN

Ms. Dipika Damerla: Today I feel very privileged as I join my special guests to launch a new book called *Violence Against Women—All Pervading*. I have a copy here, and it's my understanding that all 107 MPPs will be getting a copy of this.

In the members' gallery this afternoon we have, from the Elspeth Heyworth Centre for Women, Sunder Singh, Susmita Vaidya, Vinod Sharma and Joh Mourra; from Gujarat Express, Amit Bhatt; and Ajit Jain, a veteran Indo-Canadian journalist, who edited the book. If you could please rise so we can recognize you.

Violence Against Women—All Pervading has been funded by the Toronto-based Elspeth Heyworth Centre for Women and the Toronto Police Services Board. It features views of top academics, social activists and political leaders and is a cross-cultural study of violence against women.

It is a follow-up of a symposium held in Toronto in the aftermath of the shocking December 16, 2012, gang rape in Delhi. The book is dedicated to the victim of this incident. Although the victim is of Indian origin, the book actually takes pains—one of the main themes of the book is to point out that violence against women is not country-specific. In fact, the book cites UN studies that show that one in three women are, at least once in their lifetime, raped, brutalized or assaulted. On average, every six days, a woman in Canada is killed by her intimate partner.

I thank you so very much for bringing out this book.

1510

BLACK HISTORY MONTH

Mr. Rick Nicholls: It's my honour to rise today to acknowledge Black History Month. Black History Month celebrates the many achievements and struggles of black Canadians past and present.

My riding of Chatham–Kent–Essex was the setting of some of the most significant sites in this history, including many stops on the Underground Railroad. The Underground Railroad was a network of secret routes and safe houses used by 19th-century slaves in the United States to escape to Canada and free states. One estimate suggests that by 1850, up to 100,000 slaves had escaped via the Underground Railroad.

Chatham–Kent was a key destination for freedom seekers, as this region, including North and South Buxton, was home to some of the most successful black

settlements and the greatest populace of former slaves in Canada. Original structures, artifacts and memoirs preserve this heritage throughout my riding. Uncle Tom's Cabin Historic Site commemorates the life of the Reverend Josiah Henson. Recognized for his contributions to the abolition movement and his work in the Underground Railroad, Henson rose to international fame after Harriet Beecher Stowe acknowledged his memoirs as a source of her anti-slavery novel Uncle Tom's Cabin.

The stories of slaves who established roots in our community are displayed at the exhibit Black Mecca: The Stories of Black Community. The exhibit highlights both struggles and achievements of black Canadians during their initial settlement in Chatham, the civil rights movement and modern times.

In conclusion, on Black History Month, let's reflect on the challenges faced by the generations of black Ontarians and all those who have been forced to endure and overcome. It is my sincere hope that, one day, stories of injustice and discrimination are a distant memory.

Thank you for allowing me to continue, Speaker.

VAUGHAN IN MOTION TO CURE CANCER

Mr. Steven Del Duca: It's a pleasure for me to rise today and update the House regarding a wonderful event that happened in my community of Vaughan earlier this month. Saturday, February 8, marked the date for the annual Vaughan in Motion Hollywood Gala to Cure Cancer.

Vaughan in Motion is a not-for-profit organization that supports cancer patients and their families living in my community. Their efforts raise money for programs and equipment that aid in the prevention, early detection and treatment of all forms of cancer.

This organization is run entirely by a group of hard-working volunteers from Vaughan. These individuals work tirelessly to organize a number of great events in addition to the gala, including the annual five-kilometre walk to cure cancer, as well as a golf tournament.

I was very happy to attend the Hollywood Gala on the 8th and speak briefly to those in attendance regarding the Mackenzie Vaughan Hospital. The successful delivery of this hospital is an important objective for my community. I was pleased to have the opportunity to assure those in attendance that the Vaughan hospital is on track for tendering later this year, in September.

The Hollywood Gala was an absolute success. Over their many years of fundraising, Vaughan in Motion has raised close to \$1 million in total for cancer patients and their families, a truly remarkable feat for a group of individuals who call themselves everyday people trying to make a difference. And they certainly do, Speaker. Led by co-founders Peter Badali and Dr. Greg D'Orio, this group has had a tremendous impact on my community, and I want to sincerely thank them for their hard work, their commitment and their dedication.

OLYMPICS TRIBUTE

Mrs. Jane McKenna: People across Ontario have been proudly cheering on our top athletes competing in the Winter Olympics. Every community's enthusiasm takes a special form. In my riding of Burlington over the weekend, around a dozen parents and their children took part in a unique Olympic tribute to the winter games. The event took place at the home of the Taylor family in Aldershot and along the frozen shoreline of Burlington Bay.

This fabulous Olympic party was the brainchild of seven-year-old Kira Taylor, who was inspired by her father's love of the event. What started as an expression of one family's passion for sports was taken up in spirit by the participants, who split into teams representing the countries where their families were from: Canada, United States, Ireland, the Netherlands and South Korea. There was a mini-rink constructed, a speed-skating track shaped after the Olympic rings, a leader board, flags, athlete credentials, press badges and VIP passes.

Starting the day's festivities was a bobsled event, possibly a nod to Burlington bobsledders Jesse Lumsden and Tim Randall, currently competing over in Sochi.

Naturally, there was a torch-lighting ceremony to start the event with the proper sense of Olympic spirit, medals for the participants, and world-class winter memories for all.

INTRODUCTION OF BILLS

FINANCIAL ACCOUNTABILITY ACT, 2014

LOI DE 2014 SUR LA RESPONSABILITÉ FINANCIÈRE

Mr. Holyday moved first reading of the following bill:
Bill 160, An Act to amend the Financial Accountability Officer Act, 2013 with respect to reports concerning alternative service delivery of public services / Projet de loi 160, Loi modifiant la Loi de 2013 sur le directeur de la responsabilité financière en ce qui concerne les rapports portant sur la mise en place d'autres modes de prestation des services publics.

The Speaker (Hon. Dave Levac): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Dave Levac): The table is complete. The member for a short statement?

Mr. Douglas C. Holyday: I guess I'm really excited, Mr. Speaker. I got up a little early.

I'm excited to bring forward a bill that amends the Financial Accountability Officer Act, 2013, to require that the Financial Accountability Officer report to the assembly regarding areas of public service delivery in which alternative service delivery may result in the same quality or better quality of service at a lower cost. Certain public sector service areas shall not be reported on.

In making the report, the officer is required to consult with the private sector to assess the potential cost savings and potential service disruptions resulting from alternative service delivery. Alternative service delivery is defined as the delivery of public services by persons or entities other than the government or a public sector organization. Thank you very much for your attention.

ONTARIO IMMIGRATION ACT, 2014
LOI DE 2014 SUR L'IMMIGRATION
EN ONTARIO

Mr. Coteau moved first reading of the following bill:

Bill 161, An Act with respect to immigration to Ontario and a related amendment to the Regulated Health Professions Act, 1991 / Projet de loi 161, Loi portant sur l'immigration en Ontario et apportant une modification connexe à la Loi de 1991 sur les professions de la santé réglementées.

The Speaker (Hon. Dave Levac): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Dave Levac): The member for a short statement?

Hon. Michael Coteau: Mr. Speaker, I'll make my statement during ministerial statements.

**STATEMENTS BY THE MINISTRY
AND RESPONSES**

IMMIGRATION POLICY

Hon. Michael Coteau: I'd like to start by acknowledging and recognizing the hard work of the staff from the Ministry of Citizenship and Immigration who are here with us today, under the leadership of the deputy minister, who is with us today.

I rise today to pay tribute to our province's success as a beacon for immigrants from around the world and to propose legislation that speaks to the importance of immigration to Ontario's future.

Our province has welcomed and relied upon immigrants from its earliest beginning and continues to do so today. With the exception of our aboriginal population, everyone in this province has an immigrant past. Some have been here for as little as two weeks and some families can trace their roots back 200 years, but they're all drawn to this province by the search for fairness, opportunity and success. Together, Ontario's aboriginal and immigrant populations have made our province what it is today.

1520

Our province is a beacon of hope, trust, freedom and opportunity, with strong pillars in place to give people the tools and prospects to achieve their goals. Ontario is a province where we look after each other. It's a province where we work with one another to create great public

education, reliable health care systems, dedicated volunteers and a strong economy.

Ontario is a place where our basic right to be free from discrimination is enshrined and protected in the Ontario Human Rights Code. Here, it doesn't matter where you come from, how much money you have in the bank, the colour of your skin, your gender, your sexual orientation or your personal religious views. What does matter is that if one works hard in this province, they will be able to build a successful life for themselves and their family. This is the Ontario that we're proud of, a place where people know they are protected and provided with countless opportunities.

Over the next 25 years, immigration is expected to be Ontario's major source of labour market growth. One study forecasts that there will be 2.5 million job openings in the province over the next 10 years, and the majority of them are going to be highly skilled.

As we all know, an important part of Ontario's economy is trade. The more we trade, the more jobs we create. Newcomers can help us tap into new markets by leveraging their cultural knowledge, their language expertise, and their personal networks.

Yet as immigration becomes more essential to our economic success, our share of newcomers in Canada is declining. More critically for our prosperity, Ontario's share of economic-class immigrants is 50%, much lower than the 70% average that other provinces have. Saskatchewan and Manitoba, for example, have economic-class immigrant shares of 87% and 77% respectively. Ontario must now act to ensure that immigrants around the world continue to bring their skills and their talents here to our province. Now is the time for our province to chart its own course and bring forward a new vision for immigration.

Sixteen months ago, our government announced Ontario's first immigration strategy to help attract more skilled immigrants and their families here to our province. Later today, we are proud to be taking the next step by introducing the Ontario Immigration Act. If passed, the act would build on our progress and make Ontario only the second province or territory here in our country to have its own immigration legislation. The proposed legislation would enable Ontario to attract more highly skilled immigrants to help meet our future labour market needs and support economic growth. It would increase transparency and information-sharing to improve immigrant selection, and it would also strengthen Ontario's successful Provincial Nominee Program. The program gives employers and investors the opportunity to recruit and retain skilled foreign workers, including international students. We know that 98% of provincial nominees remain here in our province and continue to work in our labour market. We need to maximize this program's value to help our economy.

I'm deeply grateful for the opportunity that Ontario has provided me and my family. As an immigrant, this province has provided me with a wonderful opportunity to obtain a world-class education and to find work here in

this province, to represent this province, and to start a family of my own. I love Ontario and what it has to offer, and I believe wholeheartedly that much of Ontario's future, like its past, will rely on new generations of immigrants like me who will come here to find success.

Building our knowledge economy by improving immigration is part of the government's economic plan that is creating jobs for today and tomorrow. The comprehensive plan and its six priorities focus on Ontario's greatest strengths: its people and its strategic partnerships. Yes, our economy is important, but so is the society that we're building here. I believe that our proposed legislation, if passed, would reinforce the cultural and social importance of immigration in our society. We want immigrants to come here and to continue to plant deep roots, build strong communities and become great citizens, because when newcomers succeed, Ontario succeeds.

Sixteen months ago, we committed to taking immigration into a new direction, and today we're doing just that. I believe that the proposed Ontario Immigration Act is not only a new direction, but it's the right direction for this province.

The Speaker (Hon. Dave Levac): Statements by ministries?

It is now time for responses.

Mr. Todd Smith: It's an honour to stand here today and respond to the minister's statement. For five months now, I've had the honour of serving as the official opposition critic for citizenship and immigration. I take great pride in making sure that I get out to many communities across the province and meet with people. I've had the chance to sit down with literally hundreds of people and hear their stories about why they decided to come to Ontario, why they decided to bring their family to Ontario and why they decided to make Ontario their new home.

We have legions of highly qualified people who came to Ontario from around the world with the goal of making this their home and the home of their children. We entice them to come here. Ontario used to be the number one destination for newcomers to Canada. We tell them that their education experience that they have in their home country can be of invaluable service to our great province here in Ontario. But just a couple of weeks ago, around Christmastime, one doctor in Brampton whom I met with told me that when you land at Pearson International Airport in Toronto or, as Hazel McCallion would tell you, Mississauga, you become a zero. It doesn't matter how many points you have on your scorecard coming into this province. When you land at Pearson, you become a zero. All the education that you have in your home country and the work experience that got you in the door seems to disappear, as far as this government is concerned, once you hit the arrivals concourse at Pearson International Airport. There are so many people who have a skilled trade in their own country, and they come here and they become a zero. They can't practise that trade in Ontario.

We do have economic needs to fill existing jobs in this province. There's no question. It's also worth pointing

out that, as was confirmed today by the EQAO, part of the reason that we have that need is because the current government is failing to ensure proper education, especially in math, for our children.

The problem with the Provincial Nominee Program isn't solely the number of spots that we have. It's that the province is doing a poor job of making sure that those spots are allocated to fit the province's economic need. In other words, we also do a poor job of retaining the PNP applicants after a few years. That's because, as you increase taxes and as you increase the cost of living in Ontario, you really make all of the other provinces in Canada a lot more attractive and appealing for people to move to. So we're not retaining the PNPs that we have. They're coming here, they're staying for a while and then they are leaving because there are better opportunities in other provinces.

Our allocation of the Provincial Nominee Program spaces should absolutely be higher, but the federal government isn't going to give us more until we prove that we can make effective use of the ones that we have. In order for us to prove that, we need to improve the opportunities for newcomers in Ontario.

Really, what we've seen, and it's typical of this government, is that they can't get something done, so what they'll do is blame somebody else. In this case, what they've been doing with the PNP is they've been blaming the feds. The finance minister did it last week when he said that Ontario is entitled to more welfare—equalization payments—from the feds, and we're seeing it again. Really, the only people to blame for the failures of this government are this Premier and this current cabinet.

There are some good things in this bill, and I look forward to reading it in its entirety and seeing if there are things that will make this bill worth supporting. But what we've been waiting for on this side of the House now for months—and you have heard the expression many times, Mr. Speaker, that the official opposition has cleared the decks in order to see a jobs plan from this government. We've yet to see anything that resembles a jobs plan from this current Liberal government. If we had a jobs plan in this province, we would be attracting people to this province—skilled employees who want to work here and who want to raise a family.

But I have to give these newcomers credit, because they are not just saying, "I'm going to move to the GTA." They're doing their homework. They realize that under the state we're in right now in Ontario, the opportunities are better for them in Alberta. The opportunities are better for them in Saskatchewan. The opportunities are better in Manitoba. We're seeing more and more skilled workers moving to those provinces, because there's a better opportunity there for them to raise their families.

1530

The future of this province is going to be dependent on the immigrants that we attract here. We need to ensure that we're creating the brightest future possible here in Ontario, not just for the best and brightest that we bring

here, but also for the place that they want to call home and the place that we call home now.

Mr. Michael Prue: I would like to preface my remarks by thanking Minister Coteau and the staff for giving me a briefing this afternoon at 2 o'clock. It has been a long time since somebody extended that kind of courtesy to me in order to explain what was happening in an upcoming bill.

Although I'm going to be critical of some parts of this bill, I want to thank the minister and the staff for finally, after 12 years of me standing in this House talking about immigration matters, actually going ahead and doing something so that Ontario is not the last and only place in Canada that is not being part of that great movement of immigration.

Quebec signed the accord to choose its own immigrants in 1973—41 years ago. For 41 years, they have been doing what Ontario is hoping to do today. For 41 years, they have done all of the things that we today somehow think are important.

The British North America Act, section 95, sets out that there is a dual jurisdiction for immigration and for agriculture, the only two shared jurisdictions under the British North America Act, and yet Ontario has been a laggard in accepting its responsibilities for choosing immigrants and settling immigrants. We need to look to other jurisdictions, because not only Quebec, for 41 years, has done a better job than Ontario, but so have British Columbia, Alberta, Saskatchewan, Manitoba and even Prince Edward Island.

Finally, Ontario is getting on board. It's a timid getting-on-board, I have to admit. We take about 125,000 immigrants a year, and we are saying that 4% of those are now going to be chosen in part by the province of Ontario; 4% of those who are going to come here will be mandated and chosen by the province of Ontario. Other provinces have a much higher percentage. I am mindful of what the bureaucrats told me this afternoon, and rightly so: We have to start somewhere, and I am thankful that at least we're going to choose 4% for the first time in our history.

Sadly, there are many things here in the act that cause me some grief. Sadly, there's a whole emphasis on compliance and enforcement and those who fraudulently accept immigration to Canada. Having worked in the immigration department myself for more than 20 years, I can assure everybody in this place and everybody in this country that the number of people who fraudulently gain entry is less than half of 1%. So I think that Ontario ought not to be going down this path. Are there people who cheat the system? Undoubtedly. Are the numbers large? No, they're indubitably very, very small, so we ought not to be putting that as part of what we're doing. Are there marriages of convenience, adoptions of convenience, bogus documents? Yes, there are, but they are very small in the overall scheme of things.

Much has been said, highlighting what is happening here. I want to say that we need to do the kind of job that Quebec has done for 41 years. We need to assess the

immigrants while they are still in their home countries. We need to assess them and tell them what kind of opportunities are here, and also what kind of upgrades they are going to need, that they can undertake while they are there, before they come, or what they're going to need when they get here. This is only fair. It is unfair to individuals and to other countries to take their best and brightest doctors, engineers, nurses and everybody upon whom they rely and bring them here to a place where they cannot practise their profession.

I want to conclude with this: I started working in immigration—I did, next week 41 years ago. Forty-one years ago, in 1973, I started working at Pearson International Airport. You know, there was a thing there called Ontario Welcome House. The Ontario government was there, and they helped people with their OHIP applications. They helped them to navigate downtown. They helped them to find a hotel if they didn't have anywhere to stay on the first night. They helped them to find a job. They helped in a hundred ways. This government and preceding governments have stopped doing that. It's important to go back if we're going to do the settlement right.

Last but not least, I think the government needs to say something to the federal government about the federal government's plan to stop citizenship until eight years' residency. Now you can apply at three years, if you've been here three of the last four years. They're going to up it to six out of the last eight. That is unfair to the people who have chosen Ontario and Canada to make their home.

The Speaker (Hon. Dave Levac): I thank all members for their comments. It is now time for petitions.

MEMBERS' PRIVILEGES

The Speaker (Hon. Dave Levac): I have the member from Timmins–James Bay, who wants to stand on a point of privilege.

Mr. Gilles Bisson: Thank you very much, Mr. Speaker. I'll try not to take too much time.

I just want to say at the outset of this particular point of privilege, as House leader for the New Democratic Party, and as New Democrats, that it's not something we normally do. We normally try to work with those here so that we can find collegial ways to be able to move forward with whatever it is that we're doing in this House.

But I find myself in a bit of an odd spot, because what happened here yesterday, I think, is not only wrong in its very nature; I think it affects the ability of members to do their jobs here in Parliament, to a degree.

Yesterday, a member rose in this House. I don't know the riding—Prince Edward–Hastings. The member from Prince Edward–Hastings rose in this House and introduced a very good bill. The bill was an act to proclaim January as Tamil Heritage Month, something that we support as New Democrats and, in fact, something our party president actually worked on for some time, and he is an active member of the Tamil communities.

I had made it clear that we would be supporting this unanimous consent. I know that I talked to my colleague from the Liberal side of the House, the House leader, and I had mentioned it to some of the Conservatives who were sitting in my area.

The member got up and, rightfully so, introduced the bill, did as all members have to do, and then asked for unanimous consent, which is his right. When unanimous consent was asked, we did not say no. We allowed the unanimous consent to go forward. Somebody in this House—in the case, on the government side—said no, for their own reasons, which they can explain.

My point of privilege is not so much what happened as far as the outcome of the unanimous consent, as far as the vote, but it's what happened after. The member from Prince Edward–Hastings falsely reported the vote of the New Democratic caucus on that particular bill. He sent a letter to the Tamil communities, in which he says:

“It was with great regret that I follow up today about my earlier email that I sent regarding the passage of An Act to proclaim January Tamil Heritage Month.

“Today, when I attempted to ask for unanimous consent to have the bill pass all three readings quickly, members of the NDP and Liberals refused to support the motion”—which is not true. We never refused consent on this bill. In fact, we were in favour.

My point of privilege is essentially this: The effect of this type of publication being put in the Tamil community, into people's ridings, is to try to influence them in a certain way that could affect how they're going to vote and react in this House in future deliberation.

We all know that, as members, one of the basic privileges that we have is our ability to come into this Legislature, and come into committee, to give freely what our views are on a particular issue and to freely vote on an issue in the affirmative or the negative.

In this particular case, you have the member from Prince Edward–Hastings who is putting out a falsehood about the representation of the vote of the New Democratic caucus but that has an effect of putting members in a position of “Oh, my God, what happens if this happens again?” and could influence the vote of an individual member of this House and could influence how they're going to deal with a particular debate in this House.

We all know that one of the basic things in this Parliament, and all Parliaments worldwide under the British parliamentary system, is that members have to be free to feel, to speak their minds, to say what they have to say, and to be able to vote. If somebody comes in contradiction to that and tries in some way to bully people into a different position, it is, quite frankly, an undermining of that particular right.

1540

I want to very quickly go through a couple of citations in some of our authorities, both O'Brien and Bosc and Erskine May. The first I want to go through is a ruling that was given by Speaker Milliken back in 2005. The member from Windsor West had been accused by a Conservative MP when a Conservative MP sent a letter

into the member's riding saying that he had voted in a certain way in committee when it came to a particular matter that was being dealt with in that committee. What the Conservative member was doing was falsely reporting how the member did or didn't vote. As it turns out, he wasn't even on the committee; he was being alleged to have voted a certain way on committee when he wasn't even there. The member mischievously sent a letter into the person's constituency in order to put the fire into the riding when it came to this particular issue. It was a divisive issue; it was an issue regarding the gun registry. The Conservative member put a false allegation by way of a letter into the member's constituency in order to try to put pressure on him, should the vote come back into the House, to vote a different way, if he had done so.

Speaker Milliken was pretty clear in his ruling. I just want to read very quickly what he said in his ruling. I believe that we have sent you a copy of this. If not, I'm prepared to give you the copy as well. This is Speaker Milliken in his ruling:

“The fact is that this document distributed in the riding of the honourable member for Windsor West disseminated information about the sitting member's activities and positions which the honourable member for Windsor West disputes. This may well have affected his ability to function as a member and may have had the effect of unjustly damaging his reputation with voters in his riding....

“After due reflection on the facts of this case, I must conclude that the honourable member for Windsor West has presented on its face a convincing argument that his ability to function as a member of the House has been interfered with.”

A prima facie case of contempt was found because you cannot, in this House, try to falsely report in a person's constituency, or out there, what a member has done in this House in a way that tries to influence how they may react to a particular issue in a future deliberation of this House or when it comes to particular votes.

I also want to quote very quickly from page 83 of O'Brien and Bosc. Under the “Privilege Versus Contempt” section, which I'm not going to read because it would take too long—you understand what privilege and contempt is; I don't need to explain it. But it says that an affront of those particular rights is “deliberately publishing a false or misleading report of the proceedings of the House or a committee.”

It then goes on to say within Erskine May that the term “proceedings of Parliament” has received judicial attention, and there's a fairly long section which I'm not going to read, but I'm going to get to the point. If you read page 234 under “Proceedings of Parliament,” and then page 236, it says, “An individual member takes part in a proceeding usually by speech, but also by various recognized forms of formal action, such as voting....” It's clear that the process of voting is actually a proceeding; it's part of a proceeding.

What this member did was to falsely report, first of all, what the vote of the New Democratic caucus was, but

also tried to influence and put pressure by the Tamil community onto us on a particular issue that could affect how this caucus or other members would vote or deal with particular issues.

I just want to say, in summation, that the reason that I raise this—and it's not something I naturally wanted to do, but one of the reasons I wanted to raise it is this: It is clear in this House that if you allow this type of thing to continue, and you allow members to get up and falsely report what has happened in this House as a way of putting political pressure on members or caucuses on particular issues, we are sliding down a very slippery slope. If we don't, as members of this House—and if you don't, as Speaker of this House—find a way to curb that, it encourages this type of practice to happen in the future.

I understand. Along with Mr. Wilson and others, I've been here for 24-plus years. I understand there's a cut and thrust in this place. I understand that at times it's intensely partisan, and I don't have a problem with that. At times, I've been intensely partisan.

But what we cannot do is to do things in a way here in this House that falsely reports what has happened in the House as a way of being able to interfere with a member's ability to do his or her job when it comes to representing their constituency in this Legislature.

I just say again: I think this sends us down a path that we don't want to go. I would ask you, Mr. Speaker, to give this due consideration because I think at one point, we have to say that enough is enough. If we allow this type of practice to continue, it will get worse and worse and I think it will descend into something that we don't want to see in this Legislature. Thank you, Speaker.

The Speaker (Hon. Dave Levac): Thank you.

The government House leader on a point of order. On the same point of order?

Hon. John Milloy: Yes, Mr. Speaker. If I could just make a brief presentation, on behalf of my party, on the presentation that has just been made by the NDP House leader, I want to say that we have some sympathy with the points that he brought forward. What's happening here is we're trying to find a balance here in the Legislature between the right of any member to ask for unanimous consent, in this case, and there have been other cases, to have a private member's bill passed at all three readings—so the balance between that and the fact that the standing orders and the way and traditions and functions of this House do not have a clear path for private members' bills to proceed to third reading and a vote.

The tradition of this House, ever since I've been here, has been for House leaders to sit down and discuss the various private members' bills that have been put forward by members of their caucus, and to engage in discussion and agreement to bring them forward. Usually these discussions are about fairness. There's usually an issue of equity.

I remember when I was first elected here, and we'd all wait for the House leader to come in and say, "Okay, two of our Liberal private members' bills are going forward,

two from the other parties, and two from such and such. We've all sat down and figured out ones that we could agree on." Mr. Speaker, you would know this. Every member knows this.

It's difficult to explain to stakeholders the process by which private members' bills pass. The number who come to see me as House leader—I have constituents who come to see me, and they're constantly raising concerns: "Why is it not going forward?" It is difficult to explain, like so many things around here.

As a result, Mr. Speaker, what happened yesterday is not very helpful, because the honourable member, as is his right, asked for unanimous consent on a bill which I support and which I suspect every member of this Legislature supports. But because he was not following the traditions, because it had not been something that had been discussed amongst House leaders and an agreement reached, I shouted no. Mr. Speaker, I will say that: I was the one who shouted no. At the same time, I stood on a point of order, you may remember, to explain that this was a matter to be dealt with with House leaders, and I sent a follow-up letter to the member—I copied the member—to the Tamil community, explaining the fact that this was a procedural matter. There is a tradition. There is a way for these bills to be dealt with. This was in no way a reflection upon the bill.

What happened, Mr. Speaker—and I'm not putting myself in the same shoes as the New Democrats because, in their case, the House leader indicated he had not given a no when it came forward. We saw a gratuitous letter go out, saying that, all of a sudden, the NDP and the Liberals don't support this bill. It seemed to cast aspersions about how we felt about this issue of having a month for the Tamil community. Just to echo some of what the New Democratic Party House leader said, it was certainly something that could be used against us politically, that somehow we were against this.

Mr. Speaker, as I say, this is a complicated place, and it's complicated to try to explain to people that there are traditions and there are ways of doing things. To come forward with a document like that, which, I believe, Mr. Speaker, did not represent what was going on here—what was going on here was the push and pull over procedural matters. In fact, Mr. Speaker, I don't think it's helpful, I don't think it's within the spirit of this Legislature, and I would hope—you'll get into what Mr. Bisson said, but I would hope, Mr. Speaker, that you would at least warn members that to try to present something in the way that it was presented is certainly not in the spirit of this. You know, Mr. Speaker—and I don't mean to pick on them, but I can't help but notice all the grins of the Tory staffers down there, who I think are in the midst of preparing their own press release to say, "John Milloy said no to the bill."

This game has got to stop. This is about the way in which we deal with private members' bills, and to somehow come forward—I have said no and I will say no again, because there is a process to go through. You know what, Mr. Speaker? There have been members on

that side of the House and there have been members of the New Democratic Party who have also said no, not because they're against the bill but because of the procedures and the way that it's moved forward.

Mr. Speaker, at the very least, I think you should give very close consideration to what the NDP House leader said. It's an issue that deals specifically with him and representing what he did or did not do. But I would hope at the minimum that you would, in fact, caution members that these types of games are not helpful and not in the spirit of what happens here in this Legislature.

The Speaker (Hon. Dave Levac): Thank you. The government House—the opposition House leader.

1550

Mr. Jim Wilson: Not quite the government House leader yet, Mr. Speaker.

Listen, I'm living in la-la land at the moment, I guess, because the government House leader has just given us a semi-lecture on how things are normally done in this House. I don't know; I think I've been House leader a couple of years and I don't recall any of this nonsense that he's talking about. If that was the way this was done, you guys had lots of opportunity—months and months—when this bill was in the same form but under another member's name, Mr. Coteau, who is now the Minister of Citizenship and Immigration, and you could have passed the bill. I brought it up at House leaders on a few occasions and we couldn't get any agreement. So if we wait for you guys to come up with your fairy tales about how things are supposed to be done in this House, the Tamils would never have January proclaimed as Tamil Heritage Month, and that's what is at issue here.

I think we have a guilty conscience—you got caught. There have been hundreds of bills in my 24 years done three readings in one day. I remember doing one as labour critic, when everybody agreed on presumptive legislation for firefighters and workers' compensation. There was no disagreement that day. I've done up to seven of them myself. This is an issue that was not controversial until you guys got a guilty conscience overnight because you were asleep at the switch.

Now, the next time it comes up—because this is what matters here—if the member for Prince Edward–Hastings asks you again for second and third reading and unanimous consent for that, will you consent to that? That's the right thing to do on behalf of the Tamil community, and that's what we're going to do in this caucus.

The Speaker (Hon. Dave Levac): I'll defer—

Interjection.

The Speaker (Hon. Dave Levac): No. Before I come to you, a member who has not spoken has stood and wants to make a point of order.

The member from Prince Edward–Hastings.

Mr. Todd Smith: It was my honest belief, and it still is my honest belief, that when I asked for unanimous consent for the Tamil heritage bill yesterday, I heard noes from both corners of the House. It was clear that I heard a no from across the aisle and I honestly thought that I heard a no—

Mr. Gilles Bisson: No, you didn't. You knew exactly what you were doing.

The Speaker (Hon. Dave Levac): Order, please.

Mr. Todd Smith: Is that right?

Interjections.

The Speaker (Hon. Dave Levac): To the Chair, please.

Mr. Todd Smith: Mr. Speaker, I seek unanimous consent to move a motion without notice regarding Bill 156.

The Speaker (Hon. Dave Levac): I would remind the member that I have to rule on the point of privilege, so you have to hold that. Do you have anything further to say to wrap up?

Mr. Todd Smith: Again, all I can say is that it was my honest belief that I heard noes from both corners of the House. I stand by that and I will stand by that forever.

The Speaker (Hon. Dave Levac): Thank you. To wrap up, the third party House leader.

Mr. Gilles Bisson: Just very quickly, I want, again for the record, to say that we actually did not oppose unanimous consent yesterday. In fact, we had communicated that we'd be voting in favour, and I think the submission from the Conservative caucus speaks for itself.

The Speaker (Hon. Dave Levac): First, let me say very clearly that the point of privilege was submitted appropriately and was dealt with at this time for that reason. I also thank all members for their submissions. I will reserve my ruling on that issue and will return back to the House with my ruling.

It is now time for petitions.

PETITIONS

ENVIRONMENTAL PROTECTION

Mr. Ernie Hardeman: I have a petition to the Legislative Assembly of Ontario:

“Whereas the purpose of Ontario's Environmental Protection Act (EPA) is to ‘provide for the protection and conservation of the natural environment.’ RSO 1990, c. E.19, s. 3.; and

“Whereas ‘all landfills will eventually release leachate to the surrounding environment and therefore all landfills will have some impact on the water quality of the local ecosystem.’—Threats to Sources of Drinking Water and Aquatic Health in Canada;

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

“That section 27 of the EPA should be reviewed and amended immediately to prohibit the establishment of new or expanded landfills at fractured bedrock sites and other hydrogeologically unsuitable locations within the province of Ontario.”

I will sign the petition, as I agree with it.

TENANT PROTECTION

Ms. Catherine Fife: “To the Legislative Assembly of Ontario:

“Whereas escalating rental costs are making Ontario less affordable and leaving many tenants financially insecure or falling into poverty;

“Whereas tenants living in residential apartments and condominiums built after 1991 are not protected within the Residential Tenancies Act (RTA) by rent control guidelines, nor are they protected from other arbitrary changes to their rent which currently cannot be appealed to the Landlord and Tenant Board;

“Whereas this has created an unfair two-tier system of tenant protection in Ontario, where some tenants have no protection from large and arbitrary increases;

“Whereas removing these simple exemption loopholes in the RTA law will help protect tenants and help make housing more affordable and secure for thousands of Ontarians;

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

“That the province of Ontario acts to protect all tenants in Ontario and immediately move to ensure that all Ontario tenants living in buildings, mobile home parks and land-lease communities are covered by the rent control guidelines in the Residential Tenancies Act, 2006.”

I’m pleased to affix my name to this petition and I will give it to Aqil.

FAMILY SAFETY

Mr. Bob Delaney: I have a petition addressed to the Ontario Legislative Assembly sent to me by some concerned families that I personally agree with in the city of Mississauga, asking about the Safer Families Program in Peel region. It reads as follows:

“Whereas the Safer Families Program is a successful partnership of Catholic Family Services Peel-Dufferin, Family Services of Peel and the Peel Children’s Aid Society (CAS), receives year-to-year funding from the Ontario Ministry of Children and Youth Services, and is a critical component of social services to families within the Peel community; and

“Whereas the intervention model for Safer Families currently operates with no waiting lists, an important consideration for families experiencing domestic violence and child protection concerns, as they require immediate access to service; and

“Whereas the Safer Families Program is aligned with Ontario’s child poverty agenda, is committed to preventing violence against women, and contributes to community capacity building to support child welfare delivery; and

“Whereas currently, Safer Families serves 14% of all domestic violence cases referred to Peel Children’s Aid Society and has the ability to double the number of cases it handles;

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

“That the government of Ontario adjust its funding to supply ongoing core funding rather than year-to-year funding, and realign funding to double the percentage of cases referred by the Peel Children’s Aid Society and served by the Safer Families Program.”

Speaker, I completely agree with this petition. I’m pleased to affix my signature on it and to send it down with page Anne.

ENVIRONMENTAL PROTECTION

Mr. John O’Toole: I’m pleased to present a petition from the member from Oxford, but it also represents many of the feelings in my riding of Durham. It reads as follows:

For “the purpose of Ontario’s Environmental Protection Act (EPA) is to ‘provide for the protection and conservation of the natural environment.’ RSO 1990, c. E.19, s. 3.; and

“Whereas ‘all landfills will eventually release leachate to the surrounding environment and therefore all landfills will have some impact on the water quality of the local ecosystem.’—Threats to Sources of Drinking Water and Aquatic Health in Canada;

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

“That section 27 of the EPA should be reviewed and” immediately implement a prohibition “of new or expanded landfills at fractured bedrock sites and other hydrogeologically unsuitable locations within the province of Ontario” like in my riding in Durham on the Oak Ridges moraine.

I’m pleased to sign and support this and present it to Jaclyn, one of the new pages here.

AIR QUALITY

Mr. Monte McNaughton: I have a petition from my constituents addressed to the Legislative Assembly of Ontario:

“Whereas Ontario’s Drive Clean Program was implemented only as a temporary measure to reduce high levels of vehicle emissions and smog; and

“Whereas vehicle emissions have declined so significantly from 1998 to 2010 that they are no longer among the major domestic contributors of smog in Ontario; and

“Whereas the overwhelming majority of reductions in vehicle emissions were, in fact, the result of factors other than the Drive Clean program, such as tighter manufacturing standards for emission-control technologies; and....

“Whereas the new Drive Clean test has caused the failure rate to double in less than two months as a result of technical problems with the new emissions testing method....

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

“That the Minister of the Environment must take immediate steps to begin phasing out the Drive Clean program.”

I'm proud to sign this on behalf of my constituents.

1600

SHALE BEACH

Mr. Jim Wilson: “To the Legislative Assembly of Ontario:

“Whereas the Ministry of Transportation closed public access to Shale Beach off Highway 26 in the town of Blue Mountains suddenly and with no consultation; and

“Whereas the closure will impact fishermen, swimmers and visitors who have been frequenting the beach for generations with no problem; and

“Whereas the closure will remove one of the only wheelchair-accessible fishing locations in the area; and

“Whereas the McGuinty-Wynne Liberal government won't let Ontarians enjoy anything for free anymore without implementing a new tax or a new fee;

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

“That Premier Kathleen Wynne and the Minister of Transportation immediately restore access to Shale Beach so that residents can continue to enjoy the beach and all that it has to offer for generations to come.”

Mr. Speaker, I agree with this petition. I will sign it, and I want to thank Mr. Barry Cripps of Collingwood for sending it to me.

AIR QUALITY

Mr. John O'Toole: I'm pleased to present another petition that represents the views of my riding of Durham, but this one is from the Lambton-Kent-Middlesex area and reads as follows:

“Whereas Ontario's Drive Clean Program was implemented only as a temporary measure to reduce high levels of vehicle emissions and smog; and

“Whereas vehicle emissions have declined so significantly from 1998 to 2010 that they are no longer among the major domestic contributors of smog in Ontario; and

“Whereas the overwhelming majority of reductions in vehicle emissions were, in fact, the result of factors other than the Drive Clean program, such as tighter manufacturing standards for emission-control technologies; and

“Whereas from 1999 to 2010 the percentage of vehicles that failed emissions testing under the Drive Clean program steadily declined from 16% to 5%; and

“Whereas the environment minister has ignored advances in technology and introduced a new, computerized emissions test that is less reliable and prone to error”—it's on-board diagnostics; “and

“Whereas the new Drive Clean test no longer assesses tailpipe emissions, but instead scans the on-board diagnostics systems of vehicles, which already perform a series of continuous and periodic emissions checks; and

“Whereas the new Drive Clean test has caused the failure rate to double in less than two months as a result of technical problems with the new emissions testing method; and

“Whereas this new emissions test has caused numerous false ‘fails’, which have resulted in the overcharging of testing fees for Ontario drivers and car dealerships, thereby causing unwarranted economic hardship and stress”—\$450 to get a provisional test;

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

“That the Minister of the Environment must take immediate steps to begin phasing out the Drive Clean program” completely.

I sign this on behalf of my constituents and present it to Emon, one of the new pages here at Queen's Park.

ORDERS OF THE DAY

STRONGER WORKPLACES FOR A STRONGER ECONOMY ACT, 2014

LOI DE 2014 SUR L'AMÉLIORATION DU LIEU DE TRAVAIL AU SERVICE D'UNE ÉCONOMIE PLUS FORTE

Mr. Naqvi moved second reading of the following bill:

Bill 146, An Act to amend various statutes with respect to employment and labour / Projet de loi 146, Loi modifiant diverses lois en ce qui concerne l'emploi et la main-d'oeuvre.

The Acting Speaker (Mr. Paul Miller): Mr. Naqvi.

Hon. Yasir Naqvi: Thank you very much, Speaker, for recognizing me and giving me the opportunity to speak on this very important bill, Bill 146. At the outset, I'd like to say that I will be sharing my time with my parliamentary assistant, the member from Brampton West, as well.

Speaker, our government is committed to standing up for Ontario's workers, and that means strengthening workplace protections for workers and increasing fairness for businesses that play by the rules. This is truly a priority for us and, therefore, I'm happy to rise for the second reading of Bill 146, the Stronger Workplaces for a Stronger Economy Act.

The proposed legislation, if passed, would strengthen workplace protections and increase fairness for employees and businesses to build stronger workplaces, a stronger economy and a stronger Ontario. The Stronger Workplaces for a Stronger Economy Act has truly been a team effort—the result of open dialogue, thoughtful engagement and conversations with people across Ontario.

I was honoured to have both the United Way and the Law Commission of Ontario join me last December as I announced this proposed legislation. I want to thank them for leading the discussion around these important issues and for putting forward many thoughtful solutions that are reflected in this bill. This process shows that out of

positive conversations and constructive recommendations comes real and meaningful action to protect Ontarians.

This proposed bill is both the right thing to do and an essential part of ensuring that we help grow our province in the right direction. It is part of our government's plan to invest in our people by strengthening workplace protections and to support a dynamic business environment that increases fairness for companies. It is that dual commitment which saw us increase the minimum wage to \$11 an hour, the highest in Canada, on June 1, giving many Ontarians a raise and linking future increases to the cost of living, helping our businesses thrive and succeed. Like minimum wage, now is the time to stand up for Ontarian workers with this important bill.

Our government recognizes that the nature of work is changing. As we continue to create jobs and recover from the Great Recession, our rules have to keep up as well. This proposed legislation covers a lot of ground. At its heart, it's about two things: (1) making sure Ontario workers are treated fairly and paid for the work they do; and (2) taking action to protect vulnerable workers and levelling the playing field for employers who play by the rules.

We know that the world of work is changing and that the job market is now global. Almost 30,000 more temporary foreign workers are now working in Ontario compared to just five years ago. No one should ever have to surrender their passport, or be promised a job that doesn't exist, or be charged for inappropriate recruitment fees. The proposed bill would help fix that by amending the Employment Protection for Foreign Nationals Act, which our government passed in 2009, to apply to all temporary foreign workers in Ontario here through the Temporary Foreign Worker Program. This would give temporary foreign workers protection against being charged recruitment fees and having personal documents such as passports withheld by employers.

It would also extend anti-reprisal laws to any worker inquiring about or exercising their rights under the act. And among other things, it would give temporary foreign workers up to 42 months to file claims and make sure their rights are protected and enforced.

It will also require employers to give information to employees about their rights. These changes will ensure that all workers working in Ontario, no matter where they are from or where they live, are treated fairly.

Ontarians work hard, and at the end of their shift, at the end of their route or at the end of their rounds, they deserve to be paid for that work. If they are operating a business, they deserve to know that their competitor is not undercutting them by not paying their employees. When workers are not paid, they often come to the Ministry of Labour for help. Currently, however, they can only recover up to \$10,000 in unpaid wages through a Ministry of Labour order. This means that right now, both time and monetary limits on claiming unpaid wages make it harder for workers to get all that they are owed. For anything over \$10,000, they currently will have to resort to the courts, which we know could be costly and

of course takes a longer period of time, not to mention that it's a fairly litigious process. The current system makes it easier for offending businesses to take advantage of them as well.

1610

That is why we are making it easier for workers to get the money owed to them by proposing to remove the \$10,000 cap under the Employment Standards Act on the recovery of unpaid wages through a Ministry of Labour order to pay. Workers would no longer be forced to pursue large claims through the courts, saving both workers and businesses time and money.

If passed, Ontario would also increase the time limit for the recovery of wages under the Employment Standards Act to two years across the board so that older claims are dealt with fairly, and workers get the money that they are owed.

These new protections, if passed, will also better protect workers recruited through temporary help agencies by establishing joint and several liability between agencies and their clients for failure to pay wages. This will help level the playing field for good employers. Clients of agencies would be liable for regular wages and overtime pay if the agencies don't pay up, encouraging those companies to use agencies that treat employees fairly.

I know that the member from Brampton West, who is also my parliamentary assistant, will further expand on our government's efforts to protect these workers. It's important that he speak to this issue because he has been a strong champion for better protections for people who work through temp help agencies, in fact, bringing forward a private member's bill back in 2006. A lot of work went into that private member's bill that resulted in the government adopting it in 2009 and bringing protections. Now we're making the second round of changes to strengthen protections for employees who work through temp help agencies and also ensure fairness for them. I want to thank the member from Brampton West for his leadership and for his hard work and diligence on this very important matter, making sure that his constituents, or our community members from all our ridings who may work through temporary help agencies, have better protections and do get paid for the work they do. So thank you to the member from Brampton West.

Speaker, folks in this House know that safe workplaces come down to people looking after one another. The Ministry of Labour has been undergoing its largest transformation in the last 30 years, creating a culture that puts health and safety at the centre of every workplace. We recently introduced basic health and safety training for all businesses in Ontario, which comes into effect on July 1, and a working-at-heights training standard for the construction sector, where falls are a leading cause of injuries, because our job is to make sure that workers go home to their families at the end of theirs. That is what Ontarians expect when they go to work or their co-op placement, and that is what they deserve.

Ontario has very clear rules, and if you're performing work for someone, you are entitled to rights and

protections under both the Employment Standards Act and the Occupational Health and Safety Act. These acts ensure that you are paid at least minimum wage no matter what your job title is or what you agreed to when you started working there. The only exceptions are people who are self-employed, trainees, co-op students and other unpaid learners performing work in exchange for course credit as part of an accredited high school, university or college program. Ontario's Occupational Health and Safety Act already makes sure that co-op students have a safe workplace, and the Ministry of Labour has strong rules in place to make sure that that is the case for all co-op work placements. But they do not have individual protections, and that is not right. That is why we want to change that.

This bill, if passed, would extend the coverage of the Occupational Health and Safety Act to co-op students, trainees and other unpaid learners, ensuring that they have the same individual rights and protections as other workers. This absolutely makes sense and is the right thing to do.

The Stronger Workplaces for a Stronger Economy Act builds on our continued action to protect more workers in more workplaces. This bill would also give the Ministry of Labour the authority to require self-audits of safety standards to extend our protections to more workplaces. Apart from this legislation, we put an additional \$3 million into proactive enforcement in the last budget, bringing our annual total up to \$7.5 million per year. This allowed our government to hire more officers and almost double the number of inspections, and we are committed to reaching the \$10-million commitment per year laid out in our poverty reduction strategy.

It would require employers to provide free handouts explaining the rights under the Employment Standards Act—in their language, if available—from the Ministry of Labour, because an empowered worker is a safe and productive worker and because employers are more likely to comply with our rules if their employees are aware of their rights and protections.

Finally, we know that construction is a key driver of Ontario's economy. Our government recognizes this, and as a result, we are investing \$35 billion in infrastructure projects over the next three years to create and support 100,000 jobs each year, growing our economy and building strong communities. That's on top of about \$100 billion that we have spent since 2004, since we came into government, building schools, hospitals, public transit, highways, roads and bridges all across Ontario.

That's why we are strengthening the Labour Relations Act, the cornerstone of our fair and balanced labour relations system, by proposing to reduce the open period in the construction industry from three months to two. This will allow our skilled workers to spend more time building roads, bridges, schools and hospitals to grow our economy and ensure a prosperous Ontario for generations to come.

In closing, the proposed Stronger Workplaces for a Stronger Economy Act is about taking action to protect

workers, especially the most vulnerable, and levelling the playing field for businesses that play by the rules. We want to ensure that employees are paid for the work that they do, and that temporary-help-agency employees are provided the fairness that they deserve. We want to ensure that temporary foreign workers have the protections they need and deserve.

This proposed bill is part of our government's economic plan to create jobs for today and tomorrow. We are investing in infrastructure and in a dynamic business environment. We are building our knowledge economy, and we are supporting our small businesses, but most importantly, we are investing in our people, the people of this great province.

We can and will build our economy and, at the same time, work together to protect the most vulnerable for a stronger Ontario. I really hope that all parties in this Legislature will support this important bill, as we are one Ontario.

Thank you very much, Speaker. I'll ask the member from Brampton West to proceed.

The Acting Speaker (Mr. Paul Miller): The member from Brampton West.

Mr. Vic Dhillon: I'm very happy to rise today for the second reading of the Stronger Workplaces for a Stronger Economy Act. At the heart of this bill, it's about standing up for workers, making sure that they are treated fairly and letting businesses that play by the rules know that our government has got their back.

Our bill, if passed, would take important steps to ensure that every Ontarian gets the paycheque they have earned at the end of the day. This bill would better protect vulnerable workers from dangerous work situations and, more importantly, would increase competitiveness for businesses who obey our laws and play by the rules.

This is what workers and their families in Brampton West and all across Ontario deserve, and something I have fought for since coming to Queen's Park, so it gives me great pleasure to rise and speak on this bill. As the minister has indicated and shown in his remarks, this bill covers a lot of ground, but I want to focus on a couple of specific issues.

The first is around strengthening protections for employees working through temporary help agencies. This is an issue that I have heard about in my community, and I introduced a private member's bill in 2006.

I was pleased when the government built on this and introduced the first legislation of its kind in Canada specifically targeting temporary help agencies in 2009. It said that employees had a fair shot at getting hired directly by employers, that they were not being charged for things like resumé-writing and interview preparation and that they were aware of their rights under the Employment Standards Act.

1620

This bill, if passed, would build on this legislation and take the next step to increase protections for these workers, because workers deserve to be paid for the work they do. It makes no difference where you work or who

you work for. That is why we're proposing to amend the Employment Standards Act to make temporary help agencies and the companies that use them jointly liable for unpaid wages or overtime pay owed to workers. This means that workers in Brampton West and all across Ontario will get paid, either from the temporary help agency or the company. This not only protects the workers but also creates a competitive advantage for businesses that play by the rules and treat their employees fairly.

In addition, no worker should ever be assigned to the most dangerous job simply because they're recruited through a temporary help agency.

WSIB experience rating programs are meant to encourage employers to reduce injuries and encourage workers to return to work. WSIB premium-based penalties, or rebates, are based on an employer's injury and accident cost record. However, in the temporary help agency sector, experience rating costs are applied to the agency supplying and paying the worker, not to the client employer for whom the worker is supplied. This currently happens even though injuries occur at the client's workplace. The proposed legislation, if passed, would extend this joint liability to workplace injuries through the WSIB so that every business will make sure their workplaces are safe for all workers and that they are properly trained for the job they are assigned to.

If passed, this bill would better protect temporary workers, ensure that temporary help agencies who operate above board can compete, and encourage employers to work with reputable agencies.

We have strong rules in place to make sure workers in Ontario are protected and treated fairly. We have worked hard to make sure workers are aware of those rights and protections by requiring all workplaces in Ontario covered by the Employment Standards Act to post the Ministry of Labour poster on Employment Standards Act, 2000, rights and responsibilities. However, vulnerable workers, including young workers and new Canadians, may be reluctant to read a copy of this information from the poster in the workplace. Therefore, our bill would require that employers provide individual employees with a copy of this information in their language from the ministry. This will significantly increase the likelihood that vulnerable employees will learn about the strong employment standards rights and protections we have in place to keep them safe.

Extending these protections is part of our government's plan to invest in people and keep them safe, because that is the building block of a stronger Ontario. That is why the Ministry of Labour has developed an enhanced education and outreach strategy to help ensure compliance and to raise awareness by placing education materials in locations and on websites. Workers can now access fact sheets on our website, or they can call our employment standards information centre toll-free at 1-800-531-5551 to get information in 23 different languages about their rights and how to file a claim.

Our government is also taking steps to fulfil its commitment to protect vulnerable workers by enhancing

proactive enforcement of the Employment Standards Act, 2000. As part of the 2013 budget, the government has invested ongoing funding of \$3 million for additional employment standards officers and staff. This funding is being used to hire and train new members of a dedicated enforcement team to conduct even more proactive inspections.

The Ministry of Labour is also planning to develop and share with key stakeholders an operation policy regarding enhanced use of the Employment Standards Act, 2000, enforcement tools, particularly with regard to repeat offenders.

Importantly, the Ministry of Labour will also ask for input from a ministry forum of employees, employers and academic organizations to address complex and challenging issues that affect vulnerable workers.

Mr. Speaker, in Bill 146, our government has introduced additional protections for vulnerable workers that will also strengthen Ontario workplaces. If passed, this bill would help our workers, help our economy and help our families. I hope that all parties will support this very important legislation. A stronger economy for all in our province and protection for the most vulnerable workers, which they need and deserve, is what we're working towards.

The Acting Speaker (Mr. Paul Miller): Questions and comments?

Mr. Shafiq Qadri: I appreciate being able to follow my colleague from Brampton West and the Minister of Labour. As you know, they've itemized a number of initiatives to strengthen safety in the workplace, which I think is the duty and obligation and responsibility of all members of this House. As part of that, we've introduced the Youth Smoking Prevention Act, and there are a number of regulations that I could itemize in detail for you. At heart, it's about alerting or re-alerting members of the public, but also going after vulnerable young folks who may be thinking of taking up the habit of smoking over time, because, of course, folks who try it in their youth will grow up to become adult smokers. That's why we're talking about menu labelling. We're talking about more advanced warnings, more intense fines; for example, for retailers who may sell cigarettes to underage clients. That goes on as part of the government's general thrust, not only with the safety-of-workplace initiatives, but also bodily safety, or maintaining health and a sound mind in a sound body.

I'll give you an example, Speaker, of some of the initiatives that are coming through in this legislation that has been supported by a number of external stakeholders. I'm pleased to quote, for example, Dr. Scott Wooder, the president of the Ontario Medical Association, to which I also belong: "Ontario's doctors wholeheartedly support the government's plan to introduce menu labelling in large chain restaurants, and also believe in the need for restrictions on the marketing of unhealthy food to kids. Obesity is strongly associated with an increase in chronic disease—and over half of all adults and one third of children are overweight or obese."

This, along with a number of other initiatives, is part of the government's overall thrust.

The Acting Speaker (Mr. Paul Miller): Since you're finished, that's good, but I would suggest you stick to the bill. That was a good plug for smoking, but—

Mr. Shafiq Qadri: Anti-smoking.

The Acting Speaker (Mr. Paul Miller): Anti-smoking. It didn't relate to what we were talking about, so I'd appreciate it if you'd stick to the agenda. Thank you.

Questions and comments.

Ms. Lisa M. Thompson: It's really important that we take this opportunity to comment on this particular bill because when I think of my critic responsibilities—the Green Energy Act as well as small business red tape—there's so much more that we can be doing to foster a stronger workplace in Ontario. It doesn't matter whether we're talking to union leadership, small business and everyone else in between; the number one issue for all sectors of our economy right now and our Ontario workplace is the cost of energy. If this government doesn't get their act together and face the facts, stand up to the mess that they've made and start making corrective steps, we don't have to worry about stronger workplaces for a stronger economy. The reality is that if we want a stronger economy, we need to start focusing in on the bloodline, if you will, of our economy, which is our small business.

I don't know whether it was mentioned or not, but the Canadian Federation of Independent Business actually awarded this Liberal government honourable mention, in terms of a Paperweight Award, for all the red tape and the burden specifically associated with WSIB.

In terms of stronger workplaces and a stronger economy, they are placing fees upon taxes in the workplace that are giving business owners no choice but to consider closing down or sending all their margin, by the way of tax, to the Ontario Liberal government. It is absolutely shameful.

Again, I repeat: This Liberal government was awarded the Paperweight Award, honourable mention, for the mess that they've created in additional workplace tax through WSIB. It is absolute nonsense. This Liberal government seems to be thinking they—they're masters of titles of their bills. They say one thing on the one hand, and they do the absolute opposite.

1630

The Acting Speaker (Mr. Paul Miller): Questions and comments?

Ms. Catherine Fife: I'm just going to address some of the comments as they relate to the bill, Bill 146, the Stronger Workplaces for a Stronger Economy Act. When we see these pieces of legislation come from the government side of the House, we always look at the policy effectiveness. There are some minor relatively positive steps that this piece of legislation looks to address. It does look to close some loopholes in Ontario's labour statutes—in particular, the changes around the definition of “worker” in the Occupational Health and Safety Act to

include people who are performing work for no pay, such as unpaid trainees, commonly called unpaid interns.

All of us in this House know that this is an ongoing issue across the province. This piece of legislation will close the loophole under the Occupational Health and Safety Act that protected only workers who were paid. This change is an obvious one to make since there's no reason why an unpaid worker should not be covered by the same standards. But it won't spark any great revolution in the treatment of unpaid workers, so this is one of the highlighted issues that we have with the legislation as it stands right now.

One of the other ones is the new information disclosure requirements and self-audits that this piece of legislation asks for. It requires distribution of the ESA poster to every employee and adds another tool, the employer self-audit. In some of the conversations I've had, this is a mandatory—a voluntary sort of audit which really has no teeth and likely will not address any of the ongoing and systemic safety issues that we've seen in the province of Ontario.

That said, we look forward to the debate. We always come to the table trying to make pieces of legislation such as this stronger. We won't shift course on that.

The Acting Speaker (Mr. Paul Miller): Questions and comments?

Mr. Bill Walker: It's a pleasure to speak to Bill 146, the Stronger Workplaces for a Stronger Economy Act, 2013.

I'd like to suggest that my esteemed colleague from Huron-Bruce provides some very valid points. One of the biggest things that I'm hearing every day in my constituency is the cost of energy and people being put out of business because of that cost of energy, and the continued escalating costs that we're going to continue to receive, not only from a business perspective but a home perspective. Mr. Speaker, I'm sure you're hearing it in yours as well. We need to ensure that we are looking at those things.

She's been across the province doing round tables on red tape. It's one of the big things, again, that I hear in my riding. The Liberal government of today continues to ratchet up the need for more paper, more reports, more things that are taking people away from the front line, the ability to actually work with the consumer and bring them into their storefront to produce revenues to keep them in business.

At the end of the day, if they want to talk about stronger workplaces, they need to look in their own backyard at their abysmal track record over the last 10 years on the policies and procedures they've put in place to actually run people out of Ontario. Businesses are leaving at breakneck speed. It's just sad.

It's sad for those young people who we've just invited here today. The pages who we welcomed to this great chamber today: What are they looking forward to in the future? We see nothing from that side of the House changing any of their approaches currently—

The Acting Speaker (Mr. Paul Miller): I would hope that the member would stick to the agenda. He's

floating too much. We're talking about the WSIB; we're not talking about other things.

Mr. Bill Walker: Thank you, Mr. Speaker. Of course, I'm just trying to ensure that I have context for where I'm coming to.

The WSIB is one of those things I continually hear abysmal stories about. I just had a contractor call me the other night, in fact, not specific to this, exactly, but it is WSIB-related, where they're forcing them to take coverage that does not even cover them properly like their private insurance.

WSIB, red tape and the soaring cost of energy need to be fixed. If we can do that, there will be stronger workplaces.

The Acting Speaker (Mr. Paul Miller): The parliamentary assistant has two minutes.

Mr. Vic Dhillon: This issue, I would say, is probably one of the most important issues that affects my constituents in Brampton West. Having heard the opposition, they don't even want to talk about it. They've clearly shown that they want to dodge the issue, but this issue is very, very important.

One of the problems is that a lot of people who are abused in these temp agencies don't know the rules, don't know the law. One of the ways we're changing that or helping that situation is by ensuring that they know the Employment Standards Act. A lot of it involves new immigrants. So we're ensuring that they get the information that they need to protect themselves in their language. Some 23 different languages are what we have already prepared with respect to the explanations of the Employment Standards Act. As well, we are devoting \$3 million to hiring labour inspectors so they can go into these workplaces and ensure that all the rules are being followed.

In terms of recouping the money that's not being paid to these temporary workers, we're making it easier for them to go after their employer. Again, a lot of these people are new immigrants. Through a ministry order, if we find that people have not been paid, they will be forced to pay, and they will avoid the lengthy and costly process of going through Small Claims Court. This is a big step in terms of helping people who are abused by these unscrupulous employers.

I look forward to the debate, and I hope we can get all-party support for this very important bill.

The Acting Speaker (Mr. Paul Miller): Further debate?

Mr. Monte McNaughton: I'm pleased to have been asked to speak to this bill this afternoon. Bill 146, which is entitled the Stronger Workplaces for a Stronger Economy Act, 2014, was introduced by the Minister of Labour back in early December of last year, I believe. It amends five statutes relating to employment and labour relations.

This is a very significant bill. While the public policy objectives are understandable, there are many concerns that have not yet been addressed. I'm going to spend some time this afternoon just raising some of the

concerns that we have had, or that I've heard, so far since the bill has been introduced.

The WSIB implications found in this bill are profound and may be problematic. It is likely not well thought through. With a bill of this size, these impacts can be far-reaching.

The first of the amendments affects the Employment Protection for Foreign Nationals Act (Live-in Caregivers and Others), 2009. The act is amended to expand its application from foreign nationals employed in Ontario as live-in caregivers to foreign nationals employed in Ontario or attempting to find employment in Ontario.

These changes provide for the preparation and publication by the director of employment standards of different categories of documents for different categories of foreign nationals and their employers. Additionally, it allows the Lieutenant Governor in Council to make regulations providing that an employer may recover certain prescribed costs and requiring that an employer of a foreign national give notice at the beginning and end of the foreign national's employment.

The second act amended is the Employment Standards Act, 2000. The act is amended by adding a requirement that an employer provide each of his or her employees with a copy of the most recent informational poster published by the minister under the section and requires an employer to provide available translations of the poster if they are requested.

With a new section added, an employment standards officer may, by giving written notice, require an employer to conduct an examination of the employer's records, practices or both to determine whether the employer is in compliance with one or more provisions of the act or the regulations. It is this section that sets out new rules that govern how an employer self-audits. Additional amendments remove the \$10,000 maximum cap on orders, and changes are being made to time limits on recovery of wages to two years.

The third act amended in this legislation is the Labour Relations Act. These changes apply specifically to the construction industry and establish two-month open periods during which a trade union may apply to the board for certification as bargaining agents of any employees in a bargaining unit. Additionally, this change also affects the time period in which employees may apply to the board for a declaration that a trade union no longer represents the employees in a bargaining unit.

1640

The fourth act amended is the Occupational Health and Safety Act, specifically in its definition of "worker."

The fifth act amended is the Workplace Safety and Insurance Act. These amendments add a definition of "temporary help agency" and changes provided in certain circumstances where these agencies are to lend or hire out the services of a worker to another employer and the worker sustains an injury while performing work for another employer; the other employer is responsible for that injury.

I have spoken to many stakeholders, and within the industry, some of these things that are in this bill have

come as a surprise. They have all told me that they were given little advance warning about this bill and weren't consulted at all. This, I would argue, is something that we see regularly from this government: They bring pieces of legislation forward or they make decisions without properly consulting with the groups and the individuals who are affected by their legislation.

Specifically—and I'll go into more detail about this a little later—it is important to note that the WSIB was not consulted prior to the announcement of this bill.

Speaker, some of the comments about Bill 146, the Stronger Workplaces for a Stronger Economy Act—I'm going to read some of those comments regarding this legislation.

“(1) Joint and several liability for unpaid wages”—some are concerned with subsection 74.18. “With the adoption of Bill 139 in 2009, the Ontario government became the first province to codify employer status for staffing firms.” This group's members are “proud of their status as employer of record for the purposes of the application of all employment standards, workers' compensation, taxation, human rights and other legislation and regulations. Temporary employees are employed by the staffing firm and not the client. The staffing firm employer and employee agree to the terms and conditions of employment including training and compensation. Bill 146 proposes to amend the Employment Standards Act, 2000”—which I sort of highlighted in my opening remarks—“to introduce joint and several liability between temporary help agencies and their clients for unpaid regular wages and overtime pay. The minister has not been able to justify this proposed amendment and ministry staff recognize, following an ESA compliance blitz, that claims for unpaid wages are within the provincial employer average in the province and therefore there is no elevated risk for employees” in this sector.

Of course, I'm rising in the House today to bring feedback about Bill 146 from individuals and stakeholders across the province who quite frankly feel that they were left out of the consultation process.

This stakeholder in particular has “always been of the position that it is of utmost importance for the ministry to increase the number of inspectors and improve enforcement mechanisms under all acts to ensure that the unethical players”—which, I've heard from a number of people, are a small minority—“are held accountable.” While these stakeholders strongly believe that wages are a fundamental entitlement for all employees, this group is opposed to this amendment for several reasons.

“Take the example of a small company who has a business that needs to hire temporary workers to accommodate a seasonal increase in customer demand. The small employer hires a group of temporary workers from a well-established staffing firm with which it has dealt for years and pays the staffing firm for the workers' services. The temporary agency unfortunately falls victim to an unrelated fraud and so it does not pay the workers. Under Bill 146,” this current proposed legislation that we'll be debating over the next number of weeks, “the

small employer would have to pay a second time for the services of the workers. Such a payment could be crippling” for any small business. Moreover, Ontario is the only jurisdiction in Canada to propose joint and several liability in the area of employment standards.

As I said, this act, of course, amends the Workplace Safety and Insurance Act, WSIA. Other stakeholders are concerned with the proposed amendment to the Workplace Safety and Insurance Act: “This amendment would enable the WSIB, under its experience rating programs, to ascribe injuries and accident costs to the staffing firm's client. Historically, and in every other jurisdiction in Canada, temporary agencies incur the WSIB premium and accident costs for employees that they hire. Bill 146 proposes that the premium and accident costs of injuries to temporary workers would be automatically transferred to the employer that retained the workers from the agency.”

Several stakeholders are opposed to the WSIA amendment contained in Bill 146 for several reasons. Bill 146 “proposes to remove the impact of the costs associated with a temporary worker's injury from the staffing firm's experience rating and place it with the client or 'other employer.' As a result, in the event of an injury, the client will be faced with a surcharge or a lower rebate at the end of the year. Historically (and currently in all provinces without exception)” in the country, “the staffing firm is recognized as the employer of record for purposes of WSIB/WCB/CSST. It is clearly the staffing firms' responsibility and legal obligation to provide general orientation and training for employees and inspect the workplace prior to supplying labour. Our members”—this note goes on to say—“are very diligent in ensuring that this is respected. It is the industry norm that a facility tour be conducted prior to supplying labour and ensure a very clear understanding with respect to who will be responsible for site-specific training, to ensure competent persons and that the client has a health and safety program in place.”

This group “has always been of the position that it is of the utmost importance for the ministry to increase the number of inspectors and improve enforcement mechanisms under all acts to ensure that the unethical players (a small minority who may conduct business with clients looking to 'contract out' unsafe work) are held accountable. The solution is not to penalize all staffing firms by imposing a legislative amendment of this nature—a legislative amendment which would 'undo' years of education and improved health and safety practices.”

The WSIB as well is, of course, impacted here: “The WSIB is a mandatory employer-funded 'no-fault' insurance scheme. A worker is entitled to benefits when he or she suffers an accident in and of the course of employment. In most cases, an employer is required to bear the WSIB costs of the injury regardless of whether it was at fault for the accident. The 'no-fault' principle has been a cornerstone of the workers' compensation system since its inception.

“The issue of whether an employer is 'at fault' and should be punished for a workplace accident is adjudica-

ted under the Occupational Health and Safety Act. The Occupational Health and Safety Act imposes joint and several liability on temporary agencies and client employers for workplace safety violations. This means that the ministry can charge both the agency and the client employer if a workplace accident or safety violation occurs. There have been many cases where client employers have been charged for accidents suffered by temporary workers.

“One exception to this principle from the schedule 1 employer perspective relates to situations where the negligence of another schedule 1 employer contributed to the accident. In such circumstances, the employer can apply to the WSIB to transfer some or all of the accident cost to the employer who caused the accident (the worker’s benefits are not impacted by cost transfer decisions).

“Simply stated, the government is proposing to reverse the current situation and make the employer who retained the workers from the staffing firm responsible for the accident. Presumably, the employer could apply for a transfer of costs to the staffing firm in appropriate cases.” This person says that they appreciate that there are certain merits to the approach proposed by the government.

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“It seems likely the employer who controls the work-site is more likely to be ‘responsible’ for the worker’s accident and thus some would say it should bear the cost consequences. However, this ignores the reality that entitlement to WSIB benefits is not based on ‘fault.’

“For example, consider the example of a worker who has been working at a number of different employers through an agency and suffers a gradual onset injury to his or her back at a particular employer. Under the Bill 146 reforms, the employer who retained that particular employee from the agency on that given day is responsible for the accident costs. There is virtually no chance that the employer could seek a cost transfer and SIEF cost relief (based on a pre-existing condition) has become increasingly difficult to obtain. There is no good reason that the true employer of the worker”—the staffing firm—“should not bear the costs of the claim.

“The reality that many claims are not the ‘fault’ of any particular employer is the inherent problem with the approach being taken by the government.” It’s their view that staffing firms “should continue to be treated like everyone else in in the system and incur the cost of the claim unless it can be shown that the claim was caused by another employer. It is our view that the current cost transfer provisions provide an adequate remedy for temporary agencies when the accident is truly a situation involving the negligence of a client employer. The proposed amendments distort the historical cornerstone principle of the workers’ compensation system in Ontario and at the end of the day will have no impact on actual compensation to workers.”

Again, I think the trend that we are seeing with Bill 146 is really the lack of consultation, and I would urge the minister, over the next time period, to really sit down with the folks who are concerned with Bill 146.

To continue, Bill 146 proposes to introduce joint and several liabilities between temporary help agencies—I was just through this with the comments I read—and their clients for unpaid regular wages and overtime pay. While it’s important for the ministry to inspect and improve enforcement mechanisms in all current legislation to ensure that any unethical players are held accountable, this bill fails to make those changes.

An example of this is when a small business hires a group of temporary workers from a well-established staffing firm. In the event that this temporary agency is subjected to an unexpected incident of fraud and therefore does not pay its workers, as I said before, under this bill, the small business would be required to pay a second time for this group of workers’ service. These types of large payments could potentially cripple a small business. Of course, I don’t need to remind anyone in the House that we have a lot of people unemployed in the province. We lost 300,000 well-paying manufacturing jobs over the last 10 years, so we don’t want to put any more burdens on employers and job creators in the province.

These types of large payments, as I said, could potentially cripple a small business in any of our ridings in this province. Ontario is the only province in which their jurisdiction proposes joint and several liabilities in its employment standards, and I have said that a number of times.

The solution to eliminate clients looking to contract out work that is deemed unsafe is not by penalizing all staffing firms by imposing this legislation, Bill 146. The Occupational Health and Safety Act already allows for transferring of costs to the client if an employer is responsible for a worker’s injury.

Additionally, Bill 146 brings up many concerns relating to the Workplace Safety and Insurance Act, and I’m going to spend some time of the time I have left here to talk about the WSIB as it pertains to Bill 146. These amendments would allow the WSIB to ascribe any injuries and/or accidents as well as any related costs to the staffing firm’s client. Historically, it has been temporary agencies that incur the WSIB premiums and accident costs for any employees they hire. Bill 146 proposes that the premium and accidental costs would be automatically transferred to the employer that retained the workers from a temporary agency. As a result, the client will be faced with a surcharge or lower rebate at the end of that particular year. Historically, it has clearly been the staffing firm’s responsibility and legal obligation to provide—

Interjection.

The Acting Speaker (Mr. Paul Miller): The member from Etobicoke North.

Mr. Monte McNaughton: —general training and orientation for employees, and complete inspection of workplaces prior to supplying—

Interjection.

The Acting Speaker (Mr. Paul Miller): You beg to differ? That’s not your decision to make. You will keep it

down, and if you want to discuss anything, you might want to go out in the hallway. Final warning.

Mr. Monte McNaughton: I'll continue, Speaker. Just to back up a bit, historically it has clearly been the staffing firm's responsibility and legal obligation to provide general training and orientation for employees, and complete inspection of workplaces prior to supplying the workers. This is done to ensure competent workers, and that their clients have a health and safety program in place.

With WSIB being a mandatory, employer-funded, no-fault insurance program, a worker is entitled to benefits when he or she suffers from a workplace accident. In the majority of cases, the employer is required to bear some of these injury costs regardless of whether they were at fault.

On that, I want to talk about, of course, Bill 146 and schedule 5 in particular, and what I think the government intends to achieve, and then what I think it actually will achieve.

Schedule 5 of Bill 146, the Stronger Workplaces for a Stronger Economy Act, 2013, clearly finds its genesis in the December 12, 2012, final report of the Law Commission of Ontario entitled *Vulnerable Workers and Precarious Work*. I'll just refer to it as the LCO report going forward. Specifically, in recommendation 37—in the LCO report, it's page 108—it reads as follows: “The Law Commission of Ontario recommends that:

“37. The Ontario government and the WSIB review the impacts of WSIB policies and practices:

“(a) to determine the effects of the experience rating program and other policies on vulnerable workers, most particularly temporary foreign workers and temporary agency workers; and

“(b) consideration be given to attributing health and safety incidents to the client work site.”

Number two, while the LCO report recommended that the Ontario government and the Workplace Safety and Insurance Board, WSIB, “review the impacts of WSIB policies and practices,” I think it's fair to say that I would question if there is a review that was actually facilitated. I would bring that to the attention of the minister as well.

Point three, when it comes to schedule 5: The recently released report from WSIB special adviser Douglas Stanley, *Pricing Fairness: A Deliverable Framework for Fairly Allocating WSIB Insurance Costs*, February 2014, commented on the LCO report—*Pricing Fairness*, pages 20 and 21. However, *Pricing Fairness* did not analyze or study these comments, simply suggesting—and I'll read from that document—that “the WSIB needs to examine the responsibilities of temporary employment agencies and client employers with respect to employer classification and experience rating, and consider amendments to the current policies and practices to ensure that appropriate premiums are assessed and that costs are attributed to the appropriate employer.”

Point number four, as related to schedule 5: This suggestion, with respect, is nothing more and nothing less than a parroting of the LCO report recommendation 37.

The needed analysis suggested by the LCO report and affirmed by *Pricing Fairness* has not been conducted. I respectfully submit that this lack of needed study represents a fatal flaw in the development of schedule 5 in Bill 146.

As I stated before, I just highlighted I guess what I think schedule 5 in Bill 146 was intended to achieve. I want to go on now to talk about what I think it actually will achieve.

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As we know, Bill 146 is a large omnibus bill. In my opening, I talked about the different acts that are going to be altered because of this bill. Certain elements tend to get lost in the broader reform context. I respectfully, again, submit that this has happened in Bill 146.

We are reminded of the comments of an opposition member and former leader in this Legislature a number of years ago in response to a government omnibus bill. I'm going to quote this former political leader:

“I have a real problem with omnibus bills. I'm not going to be able to deal with my problems in the last two and a half minutes I have. There is just so much in this bill. It should not be presented as one, large omnibus bill. I'm beginning to think this government only knows about omnibus bills. It's not just that we can't deal with everything in the course of the debate of the evening, of the day. It's because the omnibus bills—the parts we miss, the parts we couldn't debate, the parts that the public wasn't aware of—come back to haunt us.”

That's from Hansard, on November 19, 2002. That was the member, back then, for Thunder Bay–Atikokan, the former leader of the Liberals, Lyn McLeod.

Speaker, going back to Bill 146, to schedule 5, and what this bill will actually achieve: I would say, agreeing with former Liberal leader Lyn McLeod, that this bill could come back to haunt us, will come back to haunt the government of Ontario, the WSIB and, ultimately, the taxpayers and the people of Ontario.

This is what the bill does, as pertaining to the Workplace Safety and Insurance Act of 1997—I just want to read a section of that act:

“Subsection 2(1) of the Workplace Safety and Insurance Act, 1997 is amended by adding the following definition:

“‘temporary help agency’ means an employer referred to in section 72 who primarily engages in the business of lending or hiring out the services of its workers to other employers on a temporary basis for a fee; ...

“2. Section 83 of the act is amended by adding the following subsections:

“Temporary help agency worker

“(4) For the purposes of this section and despite section 72, if a temporary help agency lends or hires out the services of a worker to another employer who participates in a program established under subsection (1), and the worker sustains an injury while performing work for the other employer, the board shall,

“(a) deem the total wages that are paid in the current year to the worker by the temporary help agency for

work performed for the other employer to be paid by the other employer;

“(b) attribute the injury and the accident costs arising from the injury to the other employer; and

“(c) increase or decrease the amount of the other employer’s premiums based upon the frequency of work....”

In effect, Speaker, schedule 5 of Bill 146 that we’re debating here today transfers the financial cost of claims from the experience rating record of the actual employer, the temporary-help agency, to the client employer. There will be a transfer of financial accountability. At present, if a worker employed by a temporary-help agency is injured, the ER record of the temporary-help agency only is impacted.

The only reason for schedule 5 seems to be this: By some undisclosed analysis or judicial-notice-type conclusion, the government is of the view that somehow employers responsible for injuries are being left off the hook and schedule 5 corrects this.

I would submit, Speaker, that even if this premise is true—a premise I reject quite strongly until shown true by objective evidence and analysis—schedule 5 thwarts its own goals.

Actual examples of the flaws of schedule 5 have been introduced to the minister and explored in other forums, so I would encourage the Minister of Labour to again reach out to stakeholders who are affected and job creators in the province who are affected by this legislation.

Since I have a bit of time left, moving on to the Occupational Health and Safety Act, because, again, this is impacted by Bill 146: The Occupational Health and Safety Act already holds a contracting employer to account—so of course the Occupational Health and Safety Act already holds the contracting employer to account, pretty much as if it were the actual employer. The definition of “employer” under the Occupational Health and Safety Act is quite clear: “‘Employer’ means a person who employs one or more workers or contracts for the services of one or more workers and includes a contractor or subcontractor who performs work or supplies services and a contractor or subcontractor who undertakes with an owner, constructor, contractor or subcontractor to perform work or supply services.”

The Ministry of Labour, on its website, describes the relationships and responsibilities in this fashion; “Who has employer duties under the OHSA for temporary help workers? Where a worker is employed by a temporary help agency to perform temporary work assignments for agency clients (i.e., the client employer) in the client’s workplace, the agency employer and the client employer are jointly responsible (as employers) for taking every precaution reasonable in ... the day-to-day control over the work and working conditions of the workplace to which the workers are assigned. However, an agency employer is not relieved of its legal duties under the OHSA for the worker’s health and safety during an assignment. Employer duties in the OHSA apply to both

the client employer and the temporary agency employer.” The occupational health and safety branch already has adequate legal and administrative resources. Some of the solution may be a simple matter of channelling those resources.

Moving along now to Ontario’s integrated health and safety strategy, an important element of the recently developed integrated health and safety strategy is the focus on occupational health and safety for vulnerable workers, including the creation of task groups for vulnerable workers. That was put out in a bulletin on December 16, 2013, by the Ministry of Labour.

Chapter 7.1 of the strategy calls for targeting “enforcement ... of vulnerable workers,” including temporary agencies. I think a lot of the stakeholders who I’ve talked to support these initiatives. I think the target enforcement is probably the most effective way of clamping down on the agencies who aren’t abiding by the rule of the law and treating workers as they should be treated here in the province of Ontario.

I’ll come back to that shortly, but one thing—since we’re talking about the WSIB, I’d like to just touch on a bit about the unfunded liability of the Workplace Safety and Insurance Board. Of course, as I said in my opening, the Minister of Labour and the ministry, as I understand it, didn’t reach out to the WSIB regarding Bill 146. I think that, with an unfunded liability to the tune of about \$13 billion—I think that’s somewhere around the deficit that the Premier is running now for the whole province of Ontario—if you’re good managers, you would reach out to the WSIB. Clearly, that wasn’t the approach that this minister and the Premier have taken. I don’t think they understand the seriousness of having an unfunded liability at the WSIB of about \$13 billion.

I just want to read a bit from a report. I believe this was from the Auditor General. We got together with the auditor, a number of us—I forget which committee it was—to hear her report prior to the Christmas season.

Just a bit of background: “The Workplace Safety and Insurance Board is a statutory corporation created by the Workplace Safety and Insurance Act, 1997, which Bill 146 impacts. Its primary purposes are to provide income support and fund medical assistance to workers injured on the job.

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“The WSIB also funds programs to help prevent workplace injuries, illnesses and fatalities. The WSIB endeavours to apply an integrated approach to workplace health and safety that promotes co-operation and collaboration among its stakeholders, including the government.

“The workplace safety and insurance system is financed through premiums charged on the insurance payrolls of employers”—just to deviate, I would like to remind the government that Ontario employers today are paying the highest WSIB premiums in the country. You talk about a burden—and I’m not going to deviate from Bill 146 because I understand the rules of the Legislature, and the Speaker would bring me back in line, but I will

say that it's a perfect opportunity to raise concerns regarding a prior Ministry of Labour bill, and that was Bill 119. We've all heard from our independent operators, small contractors who are forced to buy a government-run insurance program that is clearly flawed. I actually wrote a letter to the minister prior to Christmas, demanding that he look into the effects of Bill 119 and how many jobs have been lost. As well, the government is far short of their goals that they set out in Bill 119. I can tell you, it's adding additional cost; as I understand, up to \$10,000 per small business. If you're in the home-renovating business, you're hit extremely hard. The Liberal government is no friend of small independent operators here in the province.

But, as I said, "the workplace safety and insurance system is financed through premiums charged on the insurable payrolls of employers; the WSIB receives no funding from the government. Under the act, the government has the sole responsibility for setting benefits and coverage through legislation, while the WSIB has direct responsibility for setting premium rates, within the following guideline:

"The board has a duty to maintain the insurance fund so as not to burden unduly or unfairly any class of schedule 1 employers (generally all private sector employers) in future years with payments under the insurance plan in respect of accidents in previous years.

"Notwithstanding this legislative guideline, the assets in the WSIB insurance fund are substantially less than what is needed to satisfy the estimated lifetime costs of all claims currently in the system—thus producing what is known as an 'unfunded liability.'"

In the auditor's 2005 annual report, they noted "that the WSIB's unfunded liability had reached \$6.4 billion at that time...." Of course, I stated it's around \$13 billion today, I believe. So, in 2005, \$6.4 billion—it's doubled, essentially, in that time frame. So in the 2005 report, unfunded liability reached \$6.4 billion, and the auditor "commented on the importance of the WSIB having a credible plan to reduce it." The auditor "noted that failure to effectively control and eliminate the unfunded liability could result in the WSIB being unable to meet its existing and future financial commitments to provide worker benefits."

They decided to revisit their previous comments "on the unfunded liability with a view to providing a more detailed commentary on the issue given the recent turmoil in the global financial markets and the impact this has had on the viability of pension plans and other worker benefit plans, such as workers' compensation insurance."

I believe that this report was done around 2009 and 2010, so it was just after the financial crash.

"Workplace safety and insurance systems operate in a complex business environment because they serve a number of stakeholders with competing interests and views pertaining to the key areas of insurance benefits, coverage, and premium rates. For instance, employers want low premium levels while workers want high

benefit-payment levels. These competing interests influence benefits, coverage, and premium rates, which can have a negative impact on the size and growth of the unfunded liability. It is incumbent on the WSIB and the government to try to balance such views against the need to maintain financial stability."

I read the background of this report just to remind the Minister of Labour and the government that it's not in the best interests of the people of Ontario to go ahead and make legislation without consulting a key stakeholder, that is, the WSIB, especially when the unfunded liability goes from \$6.4 billion in 2005 up to \$13 billion.

I would give credit to the management team at the WSIB right now. I know that since Elizabeth Witmer has become the chair, the unfunded liability has improved, and that's good news for the people of Ontario.

Just the summary: "The WSIB's funding ratio represents the percentage of assets it has available to meet its financial obligations. As of December 31, 2008, its funding ratio was 53.5%—significantly lower than any of the four large provincial boards with which"—the auditor—"compared Ontario (British Columbia, Alberta, Manitoba, and Quebec) which average 102%. In each of these four provinces, legislative and policy differences are key factors that contribute to their higher funding ratios. A board's funding ratio is largely determined by the size of its unfunded liability, which is the amount by which the board's financial obligations exceeded its assets"—as I said, \$6.4 billion in 2005. "As of December 31, 2008, the unfunded liability was \$11.5 billion," so it was quite an increase in just that short period of time.

The main observations arising from this prior Auditor General's report are as follows.

"Eliminating or reducing the unfunded liability requires the interaction of four key levers—legislated benefits, coverage, premium rates, and investments—to work effectively in tandem. The inability to eliminate the WSIB's unfunded liability over the last two decades has been owing in part to the desire to satisfy all the stakeholders. Both the WSIB and the government may have to commit to a different strategy with respect to the setting of premium rates and benefits if the WSIB is to be able to eliminate the unfunded liability within a reasonable period."

Again, a new management team was brought in since this report was written, and kudos to them for the job that they appear to have done on the WSIB when it comes to the unfunded liability itself.

The WSIB advised the auditor that "its 2008-12 strategic plan, the Road to Zero, contains a number of initiatives that target and support the financial sustainability of the system. Key initiatives include the prevention strategy, which provides for a collaborative prevention partnership model; social marketing, which supports the organization's prevention mandate; development of a new case-management approach to service delivery; and other initiatives in the areas of return-to-work programs, health care solutions, and occupational disease services. However, despite these initiatives, the WSIB advised"

the auditor “that, because of the significant financial losses resulting from the global financial market downturn, its target of full funding by 2014, which was originally established back in 1984”—to no one’s surprise, they said that that would not be achieved. The WSIB, at this point, hasn’t set—they didn’t set a new target, but I believe now there is a target to have the unfunded liability down to zero.

Again, the fact of the matter is that the government can’t be introducing legislation, at least of this magnitude—a bill this size—without reaching out to key stakeholders like the WSIB. If you are managing a budget, as the Premier is and her cabinet and caucus colleagues are, of over \$130 billion, I think it’s quite worrisome they are introducing a bill that is going to put more hardship on the WSIB.

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Looking back to another section of the bill, the solution to eliminate clients looking to contract out work that is deemed unsafe is not by penalizing all staffing firms, which I’ve said, by imposing Bill 146. The Occupational Health and Safety Act already allows for the transferring of costs to the client in the event if an employer is responsible for a worker’s injuries.

Of course, I mentioned the concerns, Speaker. This bill brings up many concerns relating to the Workplace Safety and Insurance Act. These amendments would allow the WSIB to ascribe any injuries and/or accidents, as well as any related costs, to the staffing firm’s client. Historically, as I said, it has been temporary agencies that incur the WSIB premiums and accident costs for any employees they hire.

Just to reiterate again, Speaker, as I’m winding down here, Bill 146 proposes that the premium and accident costs would be automatically transferred to the employer who retained the workers from a temporary agency. As a result, the client will be faced with a surcharge or a lower rebate at the end of the year.

Historically, it has clearly been the staffing firm’s responsibility and legal obligation to provide general training and orientation for employees and complete inspection of workplaces prior to supplying the workers. This is done to ensure that competent workers and their clients have a health and safety program in place. With WSIB being a mandatory, employer-funded, no-fault insurance program, a worker is entitled to benefits when he or she suffers from an injury.

So, as you can tell, it’s actually a pretty complex bill, one that I believe—the government said it a number of times today—the government just hasn’t reached out enough to stakeholders. Of course, coming from a small business background myself, the health, safety and protection of workers have to always be a top priority. There’s nothing more important than the safety of Ontario’s workers. Regardless of the party that you represent or the riding that you represent, we all know that that issue is paramount in this province.

However, Speaker, this bill doesn’t do anything when it comes to doing the things we need to do to create jobs.

We’re going to find that there are going to be negative effects placed on job creators in this province.

It doesn’t make any of the much-needed changes to our province’s labour laws. I said this when we were talking about first reading, but it doesn’t bring the needed changes to our province’s labour laws that would create the reform needed to ensure that employers repatriate back to Ontario and that existing companies grow here in the province.

For the past year, we have only continued to see more manufacturing companies relocate from Ontario. I can think of the last two weeks alone in southwestern Ontario close to my riding of Lambton–Kent–Middlesex: We lost a bed manufacturer. They made beds for long-term-care facilities. Of course, they’re relocating back to the US.

It’s just that every couple of days there seems to be another manufacturer in southwestern Ontario closing. In Sarnia it was Imperial Oil’s lubricants. We all know about Kellogg’s and Heinz now, and Worthington Cylinders in Tilbury. There have been a number of plant closures, and we’re well aware of that. But I would have hoped that the government would bring forward bills that would actually send a message that Ontario is open for business again and we’re ready to create jobs again in the province. But, Speaker, when we see the loss of over 300,000 manufacturing jobs but at the same time see more than 300,000 new people working for the government, it’s completely unsustainable. I would hope that every member in this House would understand the severity of that situation. I’ve said this a number of times, but I truly believe that the race to the bottom is happening as we speak.

Ask the people at Heinz and Kellogg’s how they’re enjoying, or are going to be enjoying, making zero dollars per year. I think that’s the severity of this crisis. These were well-paying jobs that are leaving Ontario.

Bill 146 is not bringing these companies back to Ontario or putting that open-for-business sign on the province. It’s clearly evident that there is just not enough decisive action and strong leadership being taken to tackle this problem. On this side of the House, in our caucus our leader, Tim Hudak, has clearly stated that manufacturing is the backbone of a strong economy and the foundation of the middle class in Ontario. It’s time that we put Ontario back on the path, back to recovering jobs that have been lost.

Ontario has the ideas, the workers and the resources to succeed. Our plan will create the kind of environment where businesses will be able to ensure ongoing economic competitiveness and one where businesses can work in an environment created for economic growth, not one in which additional legislation is being added—and I will say, additional legislation that’s just not going to create jobs. I think we’re the only ones that truly are committed to supporting our province’s job creators. Quite frankly, this bill, Bill 146, directly affects employers in the province.

Government policies need to encourage growth, not create additional barriers. It must get back to its proper,

limited role—that is referring to government. Government must get back to its proper, limited role to provide strong, independent and smart regulation, conduct long-term planning and give businesses and job creators the tools they need so they want to stay in Ontario to do business.

Our plan will get our economy growing and help create jobs. It's changes like these that the people in my riding of Lambton–Kent–Middlesex and, I can say with confidence, the people across southwestern Ontario and, I think, all across Ontario have told us that they want to see implemented.

The current path is failing the people of this province. It's failing job creators, and clearly, it isn't working. I'm sure the Premier, the Minister of Labour and the cabinet have to be looking at that themselves, when they open up a newspaper and see that another Heinz or another Kellogg's has left Ontario—that clearly, after 10 or 11 years in power, their decisions have clearly affected where these companies are going.

It has been a pleasure to speak for almost an hour to Bill 146. I know it has been a rousing debate and very interesting for all the members in this House. We won't be supporting this bill, but I think we've offered some good suggestions on how the minister and his assistant can reach out to stakeholders and improve the bill if they're going forward. I just would urge the minister to do this.

With this House back in session, I look forward to putting more ideas, with my colleagues, on the table to create jobs. Unfortunately, this Bill 146 won't be doing it. Thank you.

The Acting Speaker (Mr. Paul Miller): Questions and comments? The member from Essex.

Mr. Taras Natyshak: Thank you very much, Mr. Speaker. I want to just tell you how really honoured I am, of course, to return to the Legislature after our winter recess. It's good to see everybody in good health and good spirits. I'm pleased to jump right into the debate on a piece of legislation that I think makes some modest improvements for the working conditions of people and particularly some vulnerable segments of our workforce—some small steps.

I look forward to using the remainder of the time, up until when you see fit at 6 o'clock, to present our party's position. I listened intently of course to my colleague the member from Lambton–Kent–Middlesex.

Interjection.

Mr. Taras Natyshak: Well, he and I know that we come from, I would say, diametrically opposed positions on labour reform—

Interjections.

Mr. Taras Natyshak: Pretty much, I would say. I don't think we would argue about that. But his speech was well researched and well nuanced, and I think he clearly articulated his position on a couple of issues. It didn't address the full scope of the bill. He focused on the impact solely on the business side and not really the impact from the workers' side and their position when it

comes to working in vulnerable labour markets and how they see their pathway to gainful employment or security in their workplaces, the various aspects that I think are built into this bill. Again, it'll be my pleasure to speak on behalf of that.

1730

There are some really important first steps that I'm pleased to see the government take initiative on, particularly for the young workers that were in the House just moments ago. Unfortunately, they've left this debate. But we do have an issue in this province where we're actually allowing young people to undervalue themselves. We're not telling them that their education, their energy and their efforts, right from the get-go, in their job history is valued. Hopefully, this bill takes some steps to remedy that.

The Acting Speaker (Mr. Paul Miller): Questions and comments?

Mr. Phil McNeely: I'm pleased to respond to the member from Lambton–Kent–Middlesex, his comments on Bill 146, the Stronger Workplaces for a Stronger Economy Act, 2014. The Minister of Labour and his parliamentary assistant, the member from Brampton West, have explained the needs of this proposed legislation. We've heard from the member from Lambton–Kent–Middlesex that, generally in favour, there are some real difficulties with the legislation protecting workers.

Interjection.

The Acting Speaker (Mr. Paul Miller): The member from Nepean–Carleton.

Mr. Phil McNeely: We certainly have to say that the cap on the recovery of wages seems so ridiculous to have. Of course, if you go over that cap, then you're into the courts. We know that to recover \$10,000 in the courts, you'd have to probably spend \$20,000, so the courts aren't effective in this type of thing. It's great that that cap is being raised. That's what we need. This is good.

Because many vulnerable workers are afraid to make a claim before they leave a job because of the possibility of employer reprisal, the longer time period is going to be helpful in recovering those wages as well.

I didn't realize that we had so many foreign workers here. I suppose it depends on the type of employer. Most of our employers are honourable and are responsible. But I would think that many of them are brought in because they can be mistreated in the workplace—just the necessity of providing them with rights in 23 languages, in their own language, what they can expect from their employers.

The dual responsibility for wages is great as well—that the agency can't blame the employer, etc.

So I think a lot of things in the bill are great. I thank the member for being positive about this.

The Acting Speaker (Mr. Paul Miller): Questions and comments?

Mr. John O'Toole: I would say this: The member from Lambton–Kent–Middlesex has done an exemplary job of dissecting, or at least analyzing, what he called an

omnibus bill. I really have three points. It is a bill that should be broken into its relevant parts.

The section that deals with the transfer of the experience rating system is quite troubling. If members know about this—this determines the tax on payroll that the WSIB premium is; it means that some members that may not get that need to pay attention to the transferring arbitrarily of the experience rating system. It's very troubling that that rate could double.

Actually, WSIB premiums are the third point I make. WSIB premiums are really a tax on payroll, but what it does for the employer is it protects them from liability. The employee who is injured, who falls off a ladder, is not eligible to sue the employer. The employer gets lumped into roofers or pipe fitters or whatever the rate classification is, and the experience within that sector determines the tax on the payroll. The government itself has so mismanaged this—it needs to be brought to attention.

Let's deal with the way it's working today. We have the highest premiums in Ontario—that's a tax on payroll—and we have the highest deficit. The unfunded liability: The member from Lambton–Kent–Middlesex, I believe, said that over their term it has grown from about \$4 billion—the listeners at home should be aware of this—to \$13 billion. It's disgusting, quite frankly. It's shameful that this government can stand for protecting employees, because most of them, the employees—the most troubling part of this—

The Acting Speaker (Mr. Paul Miller): Thank you.

Mr. John O'Toole: —is the—

The Acting Speaker (Mr. Paul Miller): Thank you. Questions and comments.

Interjection.

The Acting Speaker (Mr. Paul Miller): Thank you, for the third time.

The member from Kitchener–Waterloo.

Ms. Catherine Fife: I'd like to touch on the safety issue with regard to Bill 146. This piece of legislation does actually amend the Workplace Safety and Insurance Act “to clarify responsibilities for workers who are injured during a job placement arranged by a temp agency, by attributing the cost to the employer where the injury occurs and assessing wages by reference to income earned from the agency.” So it's clear as mud. There you go. That said, it is important to address the safety issue of workers who are placed out in the field by temp agencies.

The other issue on this is the placement and the protection of foreign nationals and migrant workers, as well. This is a very big issue in this province, especially in some of our rural areas, where you do have workers who do not know their rights, who are placed at risk in the field—sometimes literally in a field. To extend the Employment Protection for Foreign Nationals Act to all migrant workers would provide some protection, but its effectiveness would be limited, because it relies—and this is the key piece—on employee complaints, rather than on proactive enforcement.

This is actually a disturbing trend that we are seeing in the government of the day: that you are basically saying to employees, “You do have some rights. There's a poster over there: ‘Know your rights.’” But then the avenues that those employees can take to actually put those rights into action are not clear at all.

This act could have included a comprehensive public registry and licensing system of all employers and recruiters, similar to what they're doing in Manitoba. The government of the day decided not to do that. It is a missed opportunity, very similar to the lost opportunity of the Dean report and not bringing fall prevention standards into place in the province of Ontario. It seems to me that worker rights and safety rights of workers are actually a secondary thought as we move forward.

The Acting Speaker (Mr. Paul Miller): The member from Lambton–Kent–Middlesex has two minutes.

Mr. Monte McNaughton: I'd like to thank the members from Essex, Ottawa–Orléans, my esteemed colleague from Durham, and the member from just down the 401 from my riding in Kitchener–Waterloo.

It was great to participate in the debate over Bill 146, which was introduced by the Minister of Labour, as I said, back in December of last year. It is a big bill, and I would again caution the minister—I can't stress it enough—to reach out. This amends five statutes relating to employment and labour relations, and again, I just think that the implications could be devastating for people in Ontario, particularly in the WSIB context of this.

It's a very significant bill, and while the public policy objectives in some parts of the bill are understandable, there are many concerns that have not yet been addressed. I tried to hit on a number of those during my opening remarks here today.

The WSIB implications found in this bill may be problematic. I think they're profound. It is likely not well thought through, and with a bill of this size, these impacts can be far-reaching—and unintended, in some cases.

It's an omnibus bill, quite frankly. Lots of different acts are going to be affected by this. I just would urge the Minister of Labour—who, I have to admit, has been quite good to work with. Like the member from Essex said, the three labour critics probably come from different sides or views of things, but the minister has been good to reach out, so I hope he takes my remarks into consideration.

The Acting Speaker (Mr. Paul Miller): Further debate.

Mr. Taras Natyshak: As I stated in my earlier two-minute hit, it's a pleasure to be here, to be back in the House after our winter recess. It is of course always an honour to stand in this place on behalf of the residents who sent me here, my community of Essex, and to stand as the labour critic for the Ontario New Democratic Party.

1740

I'm pleased to have a discussion in my first opportunity to speak this week on Bill 146, the Stronger Workplaces for a Stronger Economy Act, 2013. It has

seven provisions within it that amend various statutes. I want to start, at least chronologically on my sheet here, on the fifth, which I believe was the impetus to the bill. It is the changes to the definition of “worker” in the Occupational Health and Safety Act to include people who are performing work for no pay, such as unpaid trainees, commonly called unpaid interns. It was an issue that the member for Lambton–Kent–Middlesex raised that came out of the Law Commission of Ontario report on unpaid interns.

I want to give a shout-out to those in our various communities and in the province who have really made this an important issue for the politicians in this country to consider at various levels, whether federal or right here in the Ontario Legislature. They are those who run our various workers’ action centres and those who represent migrant workers in the province. Two of them are certainly Deena Ladd, who I’m sure many of you know from the Toronto Workers’ Action Centre; and Chris Ramsaroop, who is an advocate for migrant workers through the Justice for Migrant Workers group, as well as some folks who have done some quite elaborate studies on the issue: Andrew Langille, who is a labour lawyer here in Toronto, and Josh Mandryk, who is a JD candidate at the University of Toronto, who co-authored an article that was printed in the Toronto Star dating back to—I’ll reference it later. They’ve done some wonderful work. I want to give a shout-out to them, as they’ve certainly brought this issue to prominence.

Back to that issue, in this province we have an influx of unpaid workers. Imagine that: We have folks in this province who are asked to provide their labour and to fulfill a job or task without the benefit of compensation, without the benefit of remuneration, without the benefit of coverage and protection under at least the health and safety act and the various other benefits that workers have in this province. So there was a glaring gap in the legislation that needed to be addressed, and I want to commend the Minister of Labour for actually taking the initiative to do that. We’ve spoken about the issue. We spoke to it prior to the end of the last session, and he told me that it was a priority of his to address the issue. I certainly welcomed that as a priority, although in reading the nuances of the bill, we as New Democrats think he could have gone farther. We think this government could always go farther in terms of fully addressing some of the employment standards issues and labour law issues that we have in the province.

One is simply the fact that the changes under the Occupational Health and Safety Act as it relates to unpaid interns will not reduce the usage of unpaid interns as a labour market segment. I have yet to hear the minister acknowledge that we have an issue here when it comes to employers now fully utilizing this grey area to fulfill some of the segments of their labour needs.

Now, I’m certain that he would acknowledge that this is illegal as a prescription under labour law, but it still happens, and I don’t see the changes that are made under the Occupational Health and Safety Act to be addressing

that. What New Democrats would certainly propose is enhanced enforcement and inspection and education, of course, of the fact that we certainly shouldn’t be using unpaid interns for normal working conditions.

Similarly, the influx of temporary jobs: We see that in our communities they have sprung up and are now considered the point of contact if you want to get a job, whereas years ago, you didn’t see these temporary job agencies. You could apply on your own merits. Labour demand was quite large, and it was almost as though everyone could get a job. Certainly I know that in Windsor and Essex county, folks my age were lucky enough to have gotten good-quality jobs in unionized plants in and around Essex county. That no longer is the case in Ontario, where we have a prevalence of unpaid interns, and it includes demographics that are even more vulnerable: immigrant workers and foreign workers and women—particularly young women—who are asked to perform, again, duties that we would consider as being normal or routine in any workplace, but having to fulfill the internship program before they are even given the ability to apply for the job.

I have heard cases of folks who have done one-year internships and then had to apply for the job, where others were doing longer internship periods and were beat out, so now there’s a competition on who can be the best intern. Speaker, it is certainly a race to the bottom when our businesses start to really rely on this area in our society that doesn’t value work, that ultimately says, “As a young worker, you have the privilege of working for us, and we would like to do the least amount possible that we can to gain that work from you.”

So that’s one issue that I think is important to address in a really comprehensive way, that this bill misses the mark on. It’s one issue that potentially, through the deliberations at committee, we could address, and I’m hopeful that those I have referenced, who have done such good work on this issue, will be presenting at committee, should the bill pass towards third reading.

It was mentioned that the bill is an omnibus-type bill, meaning that it does bring in a whole host of different aspects that make statutory changes and affect various different acts. I think the first one, the extended damages provision: The bill replaces the current six-month gap in section 111 on the back wages with a two-year limit, while also removing the \$10,000 cap on damages for unpaid wages. The changes will allow workers to recover a greater proportion of their actual lost wages when employers have violated the Employment Standards Act over an extended period of time. That is a welcome change. There’s no question that should an employer not be able to recover unpaid wages, they should have an extended period of time, and to cap the amount—I mean, if someone is owed \$20,000 in unpaid wages and we’re saying in the province of Ontario that you can only try to recover \$10,000, well, that’s nonsensical. So I welcome that change in the legislation. I think it’s one that makes sense. It puts the money that is owed into the worker’s pocket. It makes a lot of sense to me, and it’s certainly

one that I support. I couldn't imagine anyone in this House not supporting that change.

Number 2, the new temp agency record-keeping and joint and several liability for temp agency workers: I'm certainly going to need some clarification on it, but on the surface, it seems that this could be a welcome change. I know that the member from Lambton–Kent–Middlesex, the PC labour critic, had some reservations about its implications under liability under WSIB and the WSIA, but as we see it, the bill simply, I guess, forces the two entities, whether it be the company or the temp agency, to come to a decision, to a conclusion as to who is liable in that sense, because ultimately the bill, if it is to be effective, should address the needs of the worker. That's what we're attempting to do, and if that is the thrust of the bill, then I certainly support endeavouring to make it better, because those workers really don't care, at the end of the day, who pays the tab, who supports them post-injury; they just want to know that someone is, and as it currently stands, there is some grey area, and there have been cases where no one wants to take the liability because it hasn't been formalized in the process.

1750

I think that's a welcome addition to those who have sought employment through temp agencies. It's bad enough, that situation—having to go through a temp agency to seek employment. As I stated, it was not like that in years gone by. It was not like that within my generation—and I'm 36 years old—but now we see a prominence of these things. You have to—

Interjection.

Mr. Taras Natyshak: Yes, Speaker, I'm only 36 years old. That does shock you. I look a lot older than that. I feel a lot older than that.

But we have employers that have stopped actually seeking out the best candidate for employment and have simply gone to who can be provided quick, fast, get them in within an 89-day period and then get them out so that they're not liable for any benefits. This is a common occurrence, at least within my region. I don't know if members are seeing it within their own regions. But the prominence of temporary agencies really I don't think is doing us much favour in general in terms of stabilizing our economy and addressing the need for secure, good-paying jobs that afford benefits and support communities.

If we're going to rely on temp agencies, foreign temporary workers, part-time workers and unpaid interns for our labour market, then we are in dire straits, because you will no longer see a stable middle class, as we are witnessing right now. There is an income inequality gap that has been built, and I think it's as a direct result of corporate reliance on temporary workers. This bill does not address those issues.

It doesn't address the wages of those workers who are working side by side someone who is hired off the street or through a job advertisement. Those wages are so desperate. There's a gap there that goes to the temp agency for simply filling that position. That doesn't seem fair. Again, we would love to see that addressed.

I know my colleague from Parkdale–High Park, Cheri DiNovo, has made repeated attempts to address the issues of the gaps within the temp agencies, but to no avail. The government of the day, being the Liberal majority government, did not see fit to actually address those gaps.

There are new provisions for information disclosure requirements, being a poster to be distributed to inform temp workers of their employment standards rights. That is to be given to every employee. Also available in multiple languages—I think that's a good step. But then added on to that is the prescription for temp agencies, I believe, to perform self-audits. The principle of self-audits has some—I would think I would be a little bit reluctant to see—

Interjection.

Mr. Taras Natyshak: Yes, what could go wrong? I'd be reluctant to see the effectiveness of the self-audit. I don't know anyone who performs a self-audit who doesn't give themselves a little bit of leeway. I would say that if we are to do that as a province, if we need to know the numbers within temp agencies and those who are recruiting foreign temporary workers, we should do it on our own and it should be our responsibility, because I think that data is important to know as we address our labour market gaps. So the self-audit of the various entities is yet to be seen. I would like to see how that will be discussed at committee and its actual impact and effectiveness. Regardless, it is built into this bill.

There's a fourth provision in the introduction of new protection for foreign nationals working in Ontario. That is, of course, welcome, but it is a small step again in the sense that specifically it extends the protections for live-in caregivers in the Employment Protection for Foreign Nationals Act to other foreign nationals working or looking for work in Ontario, such as temporary foreign workers. It informs them of their employment standards rights in the province. But ultimately it requires those temporary foreign workers and foreign nationals to lodge their own self-directed complaint. If you've ever spoken to anyone who's in a vulnerable work position, anyone who fears the repercussion of raising any concerns within their workplace, you'll know that this is a glaring gap in enforcing the Employment Standards Act. We need to really actively inform people that they have support, and someone will be there to be able to identify those issues within their employment status without actually having them have to do it.

We're a modern country here, Mr. Speaker. We can see workplaces that meet our standard here. We know those who are following the rules and those who aren't. It should be the responsibility of the province and the Ministry of Labour to step up that enforcement to make sure that workers aren't concerned or scared to raise their concerns and to protect themselves, and that we as a province understand that it is our responsibility.

Speaker, there are two more provisions that I haven't spoken about. I'm wondering how much more time I have here.

Interjection.

Mr. Taras Natyshak: Okay, thank you, Speaker. You're awesome. You are one of the best Speakers I think I've ever seen this afternoon since I've been here.

Number six: It reduces the open period for decertification and union raids. My colleague, again, from the PC Party, didn't talk about that whatsoever. I'll be pleased to talk about it. It's interesting that that found its way into this bill, because, again, the bill is Stronger Workplaces for a Stronger Economy Act, addressing issues that are gaps for vulnerable workers, but this one really has nothing to do with vulnerable workers. As I see it, it has everything to do with the open period, the raiding period, that's built into the Ontario Labour Relations Act.

I welcome the change, of course, being a trade unionist and someone who has worked in the trades. I know that the three-month window for the raiding period tends to consume trade unions, and it also consumes those corporations, those companies, that are organized. So it does cause some disruption when you have a three-month period.

It's unfortunate that in this province we see fellow trade unionists raiding each other's units, or bargaining units, but it is something that has always happened. Hopefully this makes it not so appealing to launch an enormous raid campaign against another union. I think it is actually a welcome change on the company's side as well. They would welcome that there would be some stability built into their workplaces, that their workers could concentrate on the work at hand, the task at hand, rather than whether they should join another union and decertify. I think it's a welcomed change, and it's certainly one that I support.

There's one more provision, and that amends the Workplace Safety and Insurance Act to clarify the responsibilities for workers who are injured during job

placements arranged by temporary help agencies by attributing the costs to the employer where the injury occurs and assessing wages by reference to income earned from the agency. I think that will need further discussion and a little closer look in terms of its impact, who ultimately is responsible and how that will impact some of those employers that certainly don't ever intend to keep anybody long term, although that would be a welcome change as well.

Generally, we are supportive of these modest measures that we've seen put forward. We would certainly have liked to see different changes under the Ontario Labour Relations Act as a measure to protect vulnerable workers, ones that I actually included in my first private member's bill, Bill 77, that would enhance the ability for workers to be represented, whether in the service sector or otherwise.

But nevertheless, we look forward to talking about the bill, continuing to discuss and debate its merits, and ultimately to working through the process of committee to take in the various recommendations and input from stakeholders. That is vital, really, to building a better piece of legislation. It's what New Democrats are committed to doing. It's what we've always done, and it's what we will continue to do.

Speaker, I appreciate your indulgence—

The Acting Speaker (Mr. Paul Miller): Thank you. The speaker will continue on the next round, starting with you—your time, obviously, if you have a lot of time left.

Second reading debate deemed adjourned.

The Acting Speaker (Mr. Paul Miller): This House stands adjourned until 9 o'clock tomorrow morning.

The House adjourned at 1800.

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Natyshak, Taras (NDP)	Essex	
Nicholls, Rick (PC)	Chatham–Kent–Essex	
O'Toole, John (PC)	Durham	
Oraziotti, Hon. / L'hon. David (LIB)	Sault Ste. Marie	Minister of Natural Resources / Ministre des Richesses naturelles
Ouellette, Jerry J. (PC)	Oshawa	
Pettapiece, Randy (PC)	Perth–Wellington	
Piruzza, Hon. / L'hon. Teresa (LIB)	Windsor West / Windsor-Ouest	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Prue, Michael (NDP)	Beaches–East York	
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Sandals, Hon. / L'hon. Liz (LIB)	Guelph	Minister of Education / Ministre de l'Éducation
Sattler, Peggy (NDP)	London West / London-Ouest	
Schein, Jonah (NDP)	Davenport	
Scott, Laurie (PC)	Haliburton–Kawartha Lakes–Brock	
Sergio, Hon. / L'hon. Mario (LIB)	York West / York-Ouest	Minister Responsible for Seniors / Ministre délégué aux Affaires des personnes âgées Minister Without Portfolio / Ministre sans portefeuille
Singh, Jagmeet (NDP)	Bramalea–Gore–Malton	
Smith, Todd (PC)	Prince Edward–Hastings	
Sousa, Hon. / L'hon. Charles (LIB)	Mississauga South / Mississauga-Sud	Chair of the Management Board of Cabinet / Président du Conseil de gestion du gouvernement Minister of Finance / Ministre des Finances
Tabuns, Peter (NDP)	Toronto–Danforth	
Takhar, Harinder S. (LIB)	Mississauga–Erindale	
Taylor, Monique (NDP)	Hamilton Mountain	
Thompson, Lisa M. (PC)	Huron–Bruce	
Vanthof, John (NDP)	Timiskaming–Cochrane	
Walker, Bill (PC)	Bruce–Grey–Owen Sound	
Wilson, Jim (PC)	Simcoe–Grey	Opposition House Leader / Leader parlementaire de l'opposition officielle
Wong, Soo (LIB)	Scarborough–Agincourt	
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Agriculture and Food / Ministre de l'Agriculture et de l'Alimentation Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Première ministre Leader, Government / Chef du gouvernement Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Yurek, Jeff (PC)	Elgin–Middlesex–London	
Zimmer, Hon. / L'hon. David (LIB)	Willowdale	Minister of Aboriginal Affairs / Ministre des Affaires autochtones
Vacant	Niagara Falls	
Vacant	Thornhill	

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Mike Colle, Joe Dickson
Rob Leone, Amrit Mangat
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Comité permanent des finances et des affaires économiques**

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Douglas C. Holyday, Mitzie Hunter
Monte McNaughton, Michael Prue
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Sarah Campbell, Donna H. Cansfield
Grant Crack, Dipika Damerla
John Fraser, Michael Harris
Peggy Sattler, Laurie Scott
Jeff Yurek
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Vice-Chair / Vice-président: Rick Bartolucci
Laura Albanese, Rick Bartolucci
Lorenzo Berardinetti, Percy Hatfield
Mitzie Hunter, Jim McDonell
Randy Pettapiece, Monique Taylor
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Jagmeet Singh
Committee Clerk / Greffier: William Short

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Soo Wong
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