

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

**Official Report
of Debates
(Hansard)**

No. 24B

**Journal
des débats
(Hansard)**

N° 24B

1st Session
43rd Parliament
Wednesday
2 November 2022

1^{re} session
43^e législature
Mercredi
2 novembre 2022

Speaker: Honourable Ted Arnott
Clerk: Todd Decker

Président : L'honorable Ted Arnott
Greffier : Todd Decker

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House Publications and Language Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400
Published by the Legislative Assembly of Ontario



Service linguistique et des publications parlementaires
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400
Publié par l'Assemblée législative de l'Ontario

ISSN 1180-2987

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 2 November 2022

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mecredi 2 novembre 2022

The House recessed from 1149 to 1300.

MOTIONS

HOUSE SITTINGS

Hon. Paul Calandra: I move that, pursuant to standing order 7(c), the House shall continue to meet past the ordinary hour of adjournment until midnight on the following dates: Wednesday, November 2; Thursday, November 3; Monday, November 14; Tuesday, November 15; Wednesday, November 16; Thursday, November 17; Monday, November 21; Tuesday, November 22; Wednesday, November 23; Thursday, November 24; Monday, November 28; Tuesday, November 29; Wednesday, November 30; Thursday, December 1; Monday, December 5; Tuesday, December 6; Wednesday, December 7; and Thursday, December 8, 2022, for the purpose of considering government business.

The Speaker (Hon. Ted Arnott): The government House leader has moved government notice of motion number 9.

Is it the pleasure of the House that the motion carry? I heard some noes.

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

All those opposed will please say “nay.”

In my opinion, the ayes have it.

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

The division bells rang from 1302 to 1307.

The Speaker (Hon. Ted Arnott): Members will please take their seats.

The government House leader has moved government notice of motion number 9.

All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Anand, Deepak	Kanapathi, Logan	Romano, Ross
Bailey, Robert	Ke, Vincent	Sabawy, Sheref
Barnes, Patrice	Kerzner, Michael S.	Sandhu, Amarjot
Bouma, Will	Leardi, Anthony	Sarkaria, Prabmeet Singh
Calandra, Paul	Lecce, Stephen	Sarrazin, Stéphane
Cho, Raymond Sung Joon	Lumsden, Neil	Saunderson, Brian
Cho, Stan	MacLeod, Lisa	Scott, Laurie
Clark, Steve	Martini, Robin	Skelly, Donna
Dixon, Jess	McCarthy, Todd J.	Smith, Dave
Dowie, Andrew	McGregor, Graham	Smith, David
Downey, Doug	McNaughton, Monte	Smith, Graydon
Dunlop, Jill	Mulrone, Caroline	Smith, Laura
Fedeli, Victor	Oosterhoff, Sam	Smith, Todd
Ford, Doug	Pang, Billy	Surma, Kinga
Ford, Michael D.	Parsa, Michael	Thanigasalam, Vijay

Fullerton, Merrilee	Pierre, Natalie	Thompson, Lisa M.
Gallagher Murphy, Dawn	Pirie, George	Tibollo, Michael A.
Ghamari, Goldie	Quinn, Nolan	Triantafilopoulos, Effie J.
Hogarth, Christine	Rae, Matthew	Wai, Daisy
Jones, Sylvia	Rasheed, Kaleed	Williams, Charmaine A.
Jordan, John	Riddell, Brian	Yakubski, John

The Speaker (Hon. Ted Arnott): All those opposed to the motion will please rise one at a time and be counted by the Clerk.

Nays

Armstrong, Teresa J.	Mamakwa, Sol	Schreiner, Mike
Begum, Doly	Mantha, Michael	Vanhof, John
Gélinas, France	Sattler, Peggy	Wong-Tam, Kristyn

The Clerk of the Assembly (Mr. Todd Decker): The ayes are 63; the nays are 9.

The Speaker (Hon. Ted Arnott): I declare the motion carried.

Motion agreed to.

PETITIONS

CONFLIT DE TRAVAIL

M^{me} France Gélinas: I would like to thank Megan Paquette from Garson, in my riding, for these petitions:

« Supportons les travailleuses et travailleurs en éducation—arrêtons le projet de loi 28.

« À l'Assemblée législative de l'Ontario :

« Alors que le gouvernement lance une bataille sans précédent et injuste avec le projet de loi 28, s'attaquant aux droits de négociation des travailleuses et travailleurs;

« Alors que si le gouvernement refuse de négocier une entente équitable avec les travailleuses et travailleurs de l'éducation, il poussera définitivement des adultes bienveillants hors des salles de classe et nos enfants en paieront le prix;

« Alors que la crise du personnel créée par le gouvernement Ford signifiera que les plus jeunes élèves auront moins de soutien à l'école, que les enfants handicapés n'auront pas l'aide dont ils ont besoin et que les salles de classe ne seront pas nettoyées;

« Alors que nous pouvons nous assurer qu'il y a des adultes bienveillants dans la salle de classe pour soutenir les élèves en offrant aux travailleuses et travailleurs de l'éducation un niveau de vie décent; »

« Ils demandent à l'Assemblée législative de l'Ontario de respecter immédiatement les droits des travailleuses

et travailleurs, retirer le projet de loi 28 qui est anti-travailleur et faire revenir le gouvernement de l'Ontario à la table de négociation avec un accord équitable qui retient les travailleuses et travailleurs de l'éducation, plutôt que de les pousser vers la sortie.»

J'appuie cette pétition. Je vais la signer et la donner à la page Rachel.

LABOUR DISPUTE

Ms. Peggy Sattler: I have a petition entitled “Support Education Workers and Stop Bill 28.

“To the Legislative Assembly of Ontario:

“Whereas the government is launching an unprecedented and unfair fight with Bill 28, attacking the bargaining rights of workers;

“Whereas if the government refuses to negotiate a fair deal with education workers, it will drive caring adults out of the classroom permanently and our kids will pay the price;

“Whereas the staffing crisis created by the Ford government will mean that the youngest students will have less support in school, kids with disabilities won't have the help they need, and classrooms will go uncleaned;

“Whereas the Ford government can make sure there are enough caring adults in the classroom to support students by giving education workers a decent standard of living;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately respect workers' rights, rip up the anti-worker Bill 28, and have the Ontario government return to the bargaining table with a fair deal that retains education workers, rather than driving them away.”

I couldn't agree more with this petition, affix my signature, and will send it to the table with page Sahana.

GOVERNMENT'S RECORD

Mr. Dave Smith: “To the Legislative Assembly of Ontario:

“Whereas our government made a promise to hard-working Ontarians in each and every region of the province that we would have their backs and never stop working for workers; and

“Whereas under the leadership of Premier Ford and Minister McNaughton, we have brought in unprecedented reforms and support to deliver for the working people of this province; and

“Whereas our government has raised the minimum wage to \$15.50 an hour to help workers and their families with the cost of living, earn bigger paycheques and save for their future; and

“Whereas we have committed to completely eliminating the provincial income tax for anyone making \$50,000 or less, keeping money where it belongs, in the pockets of hard-working Ontarian workers; and

“Whereas new changes to the Employment Standards Act require employers with 25 or more employees to have a written policy about employees disconnecting from their

jobs at the end of the workday to help employees spend more time with their families; and

“Whereas the government is now investing \$1 billion annually in employment and training programs so that unemployed or underemployed workers can train for high-paying, in-demand, family-supporting careers; and

“Whereas we are spending an additional \$114.4 million over three years for the skilled trades strategy, addressing the shortage of workers in the skilled trades by modernizing the system and giving Ontarians the tools they need to join this lucrative workforce; and

“Whereas we are introducing protection for digital platform workers, the first in Canada, to support workers in this economy bring home better, bigger paycheques while improving job security;

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

“To urge all members of the Legislative Assembly of Ontario to deliver on the commitment made to the people of Ontario by working for workers.”

I agree with this petition. I will sign my name to it and give it to page Connor.

LABOUR DISPUTE

Ms. Teresa J. Armstrong: My petition is titled “Support Education Workers—Stop Bill 28.

“To the Legislative Assembly of Ontario:

“Whereas the government is launching an unprecedented and unfair fight with Bill 28, attacking the bargaining rights of workers;

“Whereas if the government refuses to negotiate a fair deal with education workers, it will drive caring adults out of the classroom permanently and our kids will pay the price;

“Whereas staffing crises created by the Ford government will mean that the youngest students will have less support in school, kids with disabilities won't have the help they need, and classrooms will go uncleaned;

“Whereas the Ford government can make sure there are enough caring adults in the classroom to support students by giving education workers a decent standard of living;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately respect workers' rights, rip up the anti-worker Bill 28, and have the Ontario government return to the bargaining table with a fair deal that retains education workers, rather than driving them away” from the classroom.

I fully support this petition, affix my signature to it and give it to page Rachel to deliver to the table.

SOCIAL ASSISTANCE

MPP Kristyn Wong-Tam: My petition is to the Legislative Assembly of Ontario:

“Whereas CTV recently reported that at least two Ontarians with disabilities are choosing to die through medical assistance in dying (MAID) because they could

not pay for housing that would reduce their suffering” caused by “their disability;

“Whereas London, Ontario, ICU physician Dr. Scott Anderson reports seeing more patients asking for MAID because they could not afford the services that they need to accommodate their disabilities;

“Whereas the Centre for Justice and Social Compassion estimates that almost half of the 12,000 people in Ontario who are homeless have a disability or mental illness and over 216 people experiencing homelessness died in the streets and shelters of Toronto in 2021, more than double the rate since the Conservative government took office in 2018;

“Whereas current monthly ODSP payments are 47.5% short of the poverty line in Toronto and 30% below the province’s poverty line;

“Whereas it is not possible to survive on these amounts in Ontario and therefore, Ontario Works ... and ODSP rates kill because they do not provide Ontarians with enough income to live;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to take action on the ODSP and” Ontario Works “crisis by doubling” Ontario Works “and ODSP rates immediately so that Ontarians with disabilities have enough income to survive.”

I will affix my signature and pass my petition along to Mitchell for the centre table.

EMPLOYMENT SUPPORTS

Mr. Anthony Leardi: “To the Legislative Assembly of Ontario:

“Whereas today Ontario is facing the largest labour shortage in a generation with over 300,000 jobs going unfilled, 300,000 paycheques and opportunities for families across the province; and

“Whereas our previous work in expanding the employment services transformation builds on the success of the first three integrated regions in Peel, Hamilton-Niagara and Muskoka-Kawarthas, where 87% of clients completing their employment plans have found jobs and 81% are working more than 20 hours a week; and

“Whereas the second career program has traditionally helped laid-off unemployed workers access the training they need to become qualified for in-demand, well-paying jobs; and

“Whereas in Ontario’s 2022 budget, Ontario’s Plan to Build, we introduced the Better Jobs Ontario program; and

“Whereas the Better Jobs Ontario program is another major step in our mission to work for workers by:

“—providing access to the program for people with limited or non-traditional work experience, including gig workers, newcomers and the self-employed who need training to get a job;

1320

“—investing \$5 million in new funding in 2022-23, in addition to the nearly \$200 million invested over the last three years, paying up to 28,000 for short-duration, job-specific training, including those on social assistance,

those who are self-employed, gig workers, youth and newcomers;

“—expanding on the current Second Career program, more applicants will be eligible for up to \$500 per week in financial support for basic living expenses, improving client experiences, supporting short-duration training, increasing funding for wraparound supports and prioritizing supports for laid-off and unemployed workers in sectors most impacted by COVID-19.

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

“To urge all members of the Legislative Assembly of Ontario to support the progress being made in support of workers through transformative programs such as the Better Jobs Ontario program.”

I support this petition. I shall sign it and deliver it to page Marshall for him to carry out his duties.

LABOUR DISPUTE

Ms. Doly Begum: I have a petition here to support education workers and stop Bill 28.

“To the Legislative Assembly of Ontario:

“Whereas the government is launching an unprecedented and unfair fight with Bill 28, attacking the bargaining rights of workers;

“Whereas if the government refuses to negotiate a fair deal with education workers, it will drive caring adults out of the classrooms permanently and our kids will have to pay the price;

“Whereas the staffing crisis created by the Ford government will mean that the youngest students will have less support in school, kids with disabilities won’t have the help they need, and classrooms will go uncleaned;

“Whereas the Ford government can make sure there are enough caring adults in the classroom to support students by giving education workers a decent standard of living;

“Therefore we, the undersigned, petition the Legislative Assembly of Ontario to immediately respect workers’ rights, rip up the anti-worker Bill 28, and have the Ontario government return to the bargaining table with a fair deal that retains education workers, rather than driving them away.”

I fully support this petition. I will affix my signature to it and give it to page Sahana.

GOVERNMENT’S RECORD

Ms. Goldie Ghamari: “To the Legislative Assembly of Ontario:

“Whereas our government made a promise to hard-working Ontarians in each and every region of the province that we would have their backs and never stop working for workers; and

“Whereas under the leadership of Premier Ford and Minister McNaughton, we have brought in unprecedented reforms and support to deliver for the working people of this province; and

“Whereas our government has raised the minimum wage to \$15.50 an hour to help workers and their families with the cost of living, earn bigger paycheques and save for their future; and

“Whereas we have committed to completely eliminating the provincial income tax for anyone making \$50,000 or less, keeping money where it belongs, in the pockets of hard-working Ontarian workers; and

“Whereas new changes to the Employment Standards Act require employers with 25 or more employees to have a written policy about employees disconnecting from their jobs at the end of the workday to help employees spend more time with their families; and

“Whereas the government is now investing \$1 billion annually in employment and training programs so that unemployed or underemployed workers can train for high-paying, in-demand, family-supporting careers; and

“Whereas we are spending an additional \$114.4 million over three years for the skilled trades strategy, addressing the shortage of workers in the skilled trades by modernizing the system and giving Ontarians the tools they need to join this lucrative workforce; and

“Whereas we are introducing protection for digital platform workers, the first in Canada, to support workers in this economy bring home better, bigger paycheques while improving job security;

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

“To urge all members of the Legislative Assembly of Ontario to deliver on the commitment made to the people of Ontario by working for workers.”

I proudly affix my signature to this petition and give it to page Pearl.

The Speaker (Hon. Ted Arnott): That concludes the time we have available for petitions this afternoon. I’ll remind members that there’s nothing that compels them to read the petition in its entirety. If they wish, they can summarize the text of it and that would allow more time for petitions to be presented.

VISITOR

The Speaker (Hon. Ted Arnott): We have with us in the Legislature today a special guest, a former member who served as the MPP for York–Mackenzie in the 36th Parliament; Oak Ridges in the 37th and 38th Parliaments; and Newmarket–Aurora in the 39th and 40th Parliaments: Frank Klees. Welcome back. It’s great to have you here.

ORDERS OF THE DAY

TIME ALLOCATION

Resuming the debate adjourned on November 2, 2022, on the motion for time allocation of the following bill:

Bill 28, An Act to resolve labour disputes involving school board employees represented by the Canadian Union of Public Employees / *Projet de loi 28, Loi visant à*

résoudre les conflits de travail concernant les employés des conseils scolaires représentés par le Syndicat canadien de la fonction publique.

The Speaker (Hon. Ted Arnott): Further debate?

Mr. John Vanthof: It’s always an honour to be able to speak in the House. But today, the gravity of the situation is somewhat overwhelming. Because today we’re talking about not only a time allocation motion, which truncates debate, truncates public participation—time allocation motions have done this on many bills, but this one truncates debate on a bill that challenges some of the very rights on which our democracy is built. The right of association, of organization and, yes, on the right for union members to strike. This government, instead of negotiating, is threatening to use the “notwithstanding” clause of our Constitution. Absolutely unbelievable, it truly is.

The gravity shouldn’t be lost on people. A true negotiation process has power on both sides, and one of the tools of an organization like a union is the right to withdraw services. The government is purporting to withdraw that, and the question is, if they’re willing to do it once, what else are they willing to do it for? The gravity of this, truly, must be appreciated.

For that reason—and, I hope, for the government to reconsider its ways—I move adjournment of the Legislature.

The Deputy Speaker (Ms. Donna Skelly): Mr. Vanthof has moved adjournment of the House. Is it the pleasure of the House that the motion carry? I hear a no.

All those in favour, say “aye.”

All those opposed, say “nay.”

In my opinion, the nays have it.

Call in the members. This is a 30-minute bell.

The division bells rang from 1330 to 1400.

The Deputy Speaker (Ms. Donna Skelly): Members, please take your seats.

Mr. Vanthof has moved the adjournment of the House. All those in favour of the motion, please rise and remain standing to be counted by the Clerks.

All those opposed to the motion, please rise and remain standing to be counted by the Clerks.

The Clerk of the Assembly (Mr. Todd Decker): The ayes are 13; the nays are 74.

The Deputy Speaker (Ms. Donna Skelly): I declare the motion lost.

Further debate?

Mr. John Vanthof: Although it wasn’t unpredicted, it was a sad moment in this House. Why we rang those bells is to give the government, once again, time to reflect on the gravity of putting forward legislation that threatens the rights of people with the implementation of the “notwithstanding” clause to stop people from using their rights to organize and to withdraw their services as part of the negotiation process. The government believes that they should just take away the tools of one side and give themselves the bigger hammer, and, in the end, that is not going to help anyone in Ontario.

The government often talks about the jobs that are created, but one of the reasons that people come to Ontario is because of our strong public systems: our strong public

education system, our strong public health system. Many of the things that this government is doing are actually eroding that system and, in the long term, are not only going to take jobs away from Ontarians, they will erode our system so we are no longer the best place to come for others, or the best place for others to live, in Ontario.

Our Constitution, although not everybody thinks about it every day, is something on which our whole democracy is based. Implementing the “notwithstanding” clause is not something that the government should just do because they want to further their political agenda in a negotiation—

Ms. Peggy Sattler: And attack workers.

Mr. John Vanthof: It attacks workers, but it attacks our whole democratic system. It is one of the gravest moments in our Legislature, because the rights of workers, the rights that people—we are all wearing poppies today because of wars that were fought to protect people’s democratic rights. People fought hard for all those rights.

The Minister of Education once said there was a competition of rights. There isn’t a competition of rights. Rights are something that were fought for, were achieved and need to be respected. When everyone respects them, the process actually works, because—I don’t pretend to be a union negotiator. I’ve never been a union member.

Ms. Peggy Sattler: Really?

Mr. John Vanthof: No. But if you look, 98% of contract negotiations are solved without a strike. They’re also solved without resorting to using the “notwithstanding” clause in our Constitution. Even the threat of doing that shows an abject failure in your understanding of negotiations—a complete, total failure in your understanding of the negotiation process. And you know what? Everyone in this House has at one time been involved in negotiations. Whether you’re buying a car or a house, there is a to-and-fro and there is a risk on both sides. As soon as you remove the risk from one side, that’s no longer a fair negotiation. In a good negotiation process, at the end of it, neither side gets everything they want, neither side is 100% satisfied or 100% happy, but the result is satisfactory for everyone.

When you’re going to start the negotiation process—and you have started the negotiation process by saying you’re going to get this contract or we’re going to take out a hammer that could be used over and over and over again. People will lose faith, have lost faith in this government’s ability to actually negotiate fairly.

So I’m hoping that the government takes some time to actually think about this. Really, we’re using every tool at our disposal to hopefully convince the government to negotiate fairly, to keep our kids in school by using proper negotiation—

Ms. Peggy Sattler: And withdraw the bill.

Mr. John Vanthof: Withdraw the bill—but by using negotiations instead of the hammer.

For that, to give the government one more chance to reconsider, I move the adjournment of the debate.

The Deputy Speaker (Ms. Donna Skelly): Mr. Vanthof has moved adjournment of the debate. Is it the pleasure of the House that the motion carry? I hear a no.

All those in favour of the motion, say “aye.”

All those opposed to the motion, say “nay.”

In my opinion, the nays have it.

Call in the members. This is a 30-minute bell.

The division bells rang from 1407 to 1437.

The Deputy Speaker (Ms. Donna Skelly): Would the members please take your seats.

Mr. Vanthof has moved the adjournment of the debate. All those in favour of the motion, please rise and remain standing to be counted by the Clerks.

All those opposed to the motion, please rise and remain standing to be counted by the Clerks.

The Clerk of the Assembly (Mr. Todd Decker): The ayes are 13; the nays are 74.

The Deputy Speaker (Ms. Donna Skelly): I declare the motion lost.

Pursuant to standing order 50(c), I’m required to put the question. Mr. Parsa has moved government notice of motion number 7, relating to allocation of time on Bill 28, An Act to resolve labour disputes involving school board employees represented by the Canadian Union of Public Employees. Is it the pleasure of the House that the motion carry? I heard a no.

All those in favour of the motion, please say “aye.”

All those opposed to the motion, please say “nay.”

In my opinion, the ayes have it.

A recorded vote being required, it will be deferred until the next instance of deferred votes.

Vote deferred.

ORDER OF BUSINESS

Hon. Paul Calandra: Just on a point of order: Speaker, if you seek it, you will find unanimous consent that the consideration of private members’ public business ballot item number 7 be postponed from 6 p.m. this evening to a future date and time to be indicated to the Clerk, with agreement of the House leaders of the recognized parties, and that the other provisions of standing order 100 will apply to the debate.

The Deputy Speaker (Ms. Donna Skelly): The government House leader is seeking unanimous consent that the consideration of private members’ public business ballot item number 7 be postponed from 6 p.m. this evening to a future date and time to be indicated to the Clerk, with agreement of the House leaders of the recognized parties, and that the other provisions of standing order 100 will apply to the debate. Agreed? Agreed.

STRENGTHENING POST-SECONDARY INSTITUTIONS AND STUDENTS ACT, 2022

LOI DE 2022 SUR LE RENFORCEMENT DES ÉTABLISSEMENTS POSTSECONDAIRES ET LES ÉTUDIANTS

Ms. Dunlop moved second reading of the following bill:

Bill 26, An Act to amend various Acts in respect of post-secondary education / *Projet de loi 26, Loi modifiant diverses lois en ce qui concerne l'éducation postsecondaire.*

The Deputy Speaker (Ms. Donna Skelly): I recognize the minister to lead off the debate.

Hon. Jill Dunlop: I'm pleased to have this opportunity to speak about our proposed changes that will position Ontario's post-secondary education system and students for success.

Before I begin, I want to note that I'll be sharing my time with my parliamentary assistant, the member from Burlington.

Our government believes that Ontario has one of the best post-secondary education sectors in the world, producing skilled graduates who are key to keeping our province competitive on the national and global stage. Our post-secondary institutions are hotbeds of innovation and entrepreneurship. They support the local economy, they attract international talent and they are places for creativity and respectful debate.

The students and graduates of these high-calibre institutions are what give this province its competitive edge. Colleges, universities, Indigenous institutes and private career colleges are key drivers of economic growth, prosperity and competitiveness. Campuses across the province, from the GTA to rural and northern Ontario, are not only places of learning but centres of employment and economic growth for their communities, cities and regions that they call home. Post-secondary institutions are pillars of their local communities and leaders in preparing the people of Ontario for the jobs of today and tomorrow. The people of this province are our greatest assets. By creating the right conditions for them to succeed, Ontario will have everything we need to safeguard our competitiveness and build Ontario's economy.

Both of the initiatives in Bill 26 are about creating the right conditions for student success. They are about creating inclusive, respectful and safe environments for learning. This is so important to the Premier and I that he asked me to continue the work that we are doing to strengthen the response of colleges, universities and private career colleges to sexual violence on campus, particularly cases of faculty and staff towards students. The first set of amendments in Bill 26 introduces changes that underline our government's zero-tolerance position on sexual harassment, assault and any other form of violence in our communities. This is a matter that is particularly close to me, given my prior role as Associate Minister of Children and Women's Issues and now as Minister of Colleges and Universities, but more importantly as a mother to three young women, two of whom are in post-secondary education.

A 2018 survey showed that Canadian women experience disproportionate rates of sexual and physical violence. About 10% more women than men have been physically or sexually assaulted by an intimate partner or non-intimate partner in their lifetime, and around 30% of

younger women, aged 15-24, were physically or sexually assaulted by a non-intimate partner, compared to 40% of women 25 years or older.

This legislation seeks to help institutions better address faculty and staff sexual misconduct against students. Firstly, it would equip institutions with stronger tools to address instances of faculty or staff sexual misconduct against students. For example, sexual abuse of a student by faculty would be just cause for dismissal.

Secondly, it would prevent the use of non-disclosure agreements, which can be used to hide the prior wrongdoing of an employee when they leave one institution for another. For example, in a case covered in the media a few years ago, a faculty member dismissed for just cause, following an investigation into allegations of sexual violence, was hired by another institution while the investigation was under way. Preventing the use of non-disclosure agreements will help to limit instances where an employee leaves an institution to be employed at another institution and their prior wrongdoing remains a secret, unknown to fellow faculty, staff and students. This will help provide greater transparency with respect to faculty and staff who are found to have committed sexual abuse of a student.

And thirdly, it would require institutions to have sexual misconduct policies that provide rules for behaviour between employees and students and examples of disciplinary measures for employees who break these rules.

These measures will help address instances where faculty overstep a teacher-student relationship with inappropriate behaviour, such as an instance in 2016 when an independent review found that a professor gave alcohol to and made sexual advances towards a student. These changes would help to better protect students in instances of faculty and staff sexual misconduct and would allow institutions to address complaints when they arise.

If approved, the legislative amendments would come into force on July 1, 2023.

Together, these changes will require publicly assisted colleges and universities, as well as private career colleges, to have specific processes in place that address faculty and staff sexual misconduct on campus and to make these processes transparent.

These measures are focused on improving student safety and ensuring the best environment for students to do their best and excel in the high-quality education our post-secondary institutions provide.

I'd like to address government action to address sexual violence and misconduct on campuses. We know that a healthy campus environment is crucial to student success. At a fundamental level, no student in Ontario can reach their full potential unless they are safe on campus and feel safe on campus. Our government believes that everyone should be able to pursue their studies on- or off-campus without having to worry about sexual violence, harassment or misconduct. This is not something we merely believe in, but as a government, in fact, we've acted on it. And the measures included in Bill 26 further build on our government's actions to address the safety of students.

Last fall, we made policy changes to strengthen supports for post-secondary students reporting sexual violence or harassment. We introduced regulatory amendments that required institutions to update their sexual violence and harassment policies in order to shield students from irrelevant questions during sexual violence investigations at institutions. These amendments ensured that students could safely bring forward complaints without fear of disciplinary action. This included instances where perhaps a student was drinking underage and the fear of those consequences deterred that individual from coming forward. It also barred irrelevant questions that had a potential revictimizing or shaming effect, including questions about past sexual history, attire and so on. Our government took action to put an end to these issues, and these changes came into effect this spring.

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I want to note that these have been well received by leaders in the post-secondary education sector and by the students I've spoken to.

Steve Orsini, president and CEO of the Council of Ontario Universities, said, "Ontario's universities are committed to ensuring student, faculty and staff safety and condemn all forms of sexual violence or harassment. Building on today's announcement, all of our universities have developed and continue to review their institutional sexual violence policies to ensure that they maintain a survivor-centric approach."

I have a quote from Linda Franklin, president and CEO of Colleges Ontario: "Ensuring every student has a safe and positive learning environment is a top priority. The comprehensive policies and protocols in place at every college are enhanced on an ongoing basis and we're committed to working with the government and students on the further measures announced today." I'd like to take this opportunity to thank Linda Franklin for all of her work with Colleges Ontario. She recently announced her retirement, for the end of March. She will be greatly missed. She was a true advocate for Ontario colleges.

Finally, a quote from Ari Laskin, CEO of Career Colleges Ontario: "Career Colleges Ontario is pleased to see the government is taking action on sexual assault and sexual violence in the post-secondary educational sector. Our members have had in place policies that address student safety on our campuses and we are encouraged to see the government formalizing this across the entire post-secondary sector. Ontario's career colleges will continue to put student safety and well-being at the forefront of all our operations."

I'd like to thank all three of them for their quotes.

Madam Speaker, it is clear that across our institutions, these changes have been welcomed and appreciated for going further than ever before to combat sexual violence on campus. And I'm proud to say that's not all we've done since forming government.

In 2018, the government conducted the Student Voices on Sexual Violence survey to gather information about how respondents perceive, understand and respond to incidents of sexual violence, as well as their level of

satisfaction with their institution's sexual violence supports and services. More than 160,000 students across Ontario participated in this voluntary survey, which has helped inform our government's work in this area.

Over the years, we have listened and have addressed sexual violence matters in various ways. For example, since July 2019, colleges and universities are required to report annually to their board of governors, including on the number of reports of sexual violence by students, as well as the supports, programs and initiatives that are available to their students.

Post-secondary institutions must now also have and publicly post a stand-alone sexual violence policy, which must be reviewed at least every three years and amended as appropriate. Student input must be also considered during the development of the policy and every time the policy is reviewed or amended.

Additionally, our government required each publicly assisted college and university in Ontario to have a task force that is devoted to addressing sexual violence on campus.

And since 2019, the government invests \$6 million annually in the Campus Safety Grant. These funds assist and support publicly assisted colleges and universities with campus safety programs, including campus sexual violence prevention programs and supports.

I'd like to address the consultations that we have had in order to address faculty/staff-student sexual violence.

We pride ourselves on being a government that is responsive to the evolving needs of its people, and we know that issues as pervasive as sexual violence and harassment aren't addressed by quick fixes.

It's worth noting that a 2019 Statistics Canada survey found that harassment is more common in academia than in any other field.

Specific instances of sexual violence and misconduct committed by post-secondary faculty and staff against students have been exposed in recent years, due in part to investigative reporting in the media. In many cases, survivors have come forward to report instances years after the sexual misconduct occurred. While allegation details vary from case to case, a picture has emerged of general frustration about the disciplinary measures taken by, and the lack of transparency taking place at, institutions following reports of sexual misconduct by a faculty or staff member.

Cases of sexual misconduct by faculty or staff against students undermine the essential conditions for learning, and as evidence of these cases emerges, the public's trust in the ability and commitment of post-secondary institutions to keep students safe is also affected.

In August 2021, following some media attention regarding sexual misconduct cases in post-secondary institutions and the calls to strengthen existing measures, our government engaged with colleges, universities, private career colleges and student groups to develop a plan of action that could build on and expand existing measures. Our consultations helped us determine the extent of the issue of faculty and staff sexual violence towards students, and what we could do that would

constitute an effective response to further ensure student safety. These consultations provided a clear signal that there was more work to be done to grant students a safe learning environment, especially as they return to campuses full-time.

So while the steps we have taken since 2018 have strengthened supports for post-secondary students reporting sexual violence or harassment in campus communities, the measures introduced in Bill 26 will give post-secondary institutions greater powers to address acts committed by faculty and staff towards students. We are working to do everything possible to combat issues of sexual violence or misconduct on campuses. That is why these measures are being put in place: to protect our students and support their well-being.

I would be remiss not to mention that universities and colleges are also taking important steps to address student safety and respond to these concerns. Many post-secondary institutions are proactive and doing exceptional work to address sexual misconduct.

One example that I was very pleased to learn about is Queen's University, where they recently launched an online tool and mobile app to allow victims of sexual violence to anonymously record incidents, access resources and connect with on- and off-campus supports. This online support hub allows students to record their experience through a trauma-informed question-and-answer format. Many institutions have also introduced awareness-raising and educational tools around consent.

Madam Speaker, today's legislation is about more than post-secondary education. Beyond the lecture halls and classrooms, over the last five years, there has been a great reckoning when it comes to inappropriate behaviour and unhealthy relationships. More than ever before, survivors and allies are coming forward to challenge sexual harassment and misconduct in workplaces, social environments and intimate settings. In Hollywood, media and beyond, public consciousness has shifted, with more widespread recognition of the urgent need to call out unhealthy relationships that aren't rooted in consent or that involve problematic power structures.

That's what makes this legislation so critical. As a government, we are formalizing our recognition, to show Ontarians that we will not stand by when power is abused. We are meeting the moment.

Madam Speaker, I want to be clear: We have, we all know, remarkable faculty who provide support at our Ontario colleges, universities and private career colleges, and the vast majority of our faculty and staff conduct themselves with complete professionalism and strive to foster a safe environment for our students. However, concerns have been raised on whether existing measures go far enough to address faculty/staff-student sexual misconduct in the post-secondary education sector. That is why these measures are being put in place: to protect our students from those who don't live up to our standards of conduct with respect to student safety and well-being.

1500

We want to create consistency across the sector in the way institutions treat staff who commit acts of sexual

misconduct. These changes would provide publicly assisted colleges, universities and private career colleges tools and resources to address instances of sexual misconduct by faculty and/or staff, and greater transparency with respect to faculty and/or staff who are found to have committed an act of sexual misconduct towards a student. The proposed changes would make Ontario one of only two Canadian jurisdictions that require institutions to have policies requiring rules for behaviour between faculty and staff and students and impose disciplinary measures on faculty and staff who break these rules.

I'd now like to talk about the name change for Toronto Metropolitan University. Our government also supports a post-secondary education system that is accessible, respectful and inclusive for all learners, including Indigenous learners. We work with colleges, universities, Indigenous institutes and Indigenous partners to create the conditions that make it easier for everyone to access a high-quality education. We do this because we want to build and encourage a post-secondary system that embraces inclusivity and promotes success for all learners so they can find rewarding careers.

The second set of amendments in Bill 26 would change the name of Ryerson University to Toronto Metropolitan University. The university took steps towards making this name change as a result of concerns with the legacy of Egerton Ryerson. The institution took it upon itself to create a task force to engage with community members on reconciling Egerton Ryerson's legacy. After extensive consultations with the university and the broader community, including an online survey with over 30,000 responses, the university determined that a new name would better reflect its current values, aspirations and directions. The school's renaming was one of 22 recommendations in the final report of its task force.

In April 2022, the university's board of governors approved Toronto Metropolitan University as the proposed new name to replace Ryerson University. A few months later, the university formally requested that our ministry bring forward amendments to the Ryerson University Act, 1977, to make Toronto Metropolitan University the official legal name of the institution. We are pleased to support the university's name change to Toronto Metropolitan University by proposing the amendments to the Ryerson University Act, 1977, and other affected statutes to reflect this change. The university's renaming is one of many steps the university is taking to move beyond the legacy of its namesake and his role in the design of Canada's residential school system.

As the task force report notes, "A name change alone will not erase the systemic barriers and inequities that Indigenous and Black community members face within the institution." However, it is an important signal that the university is listening and responding to the historical issues of colonialism and how its influence can affect current students when considering how it could better align the university's name with its values.

As the university states, “Names matter. They tell the world who we are and what we stand for. They communicate ideas, values and aspirations. They speak to the future even as they acknowledge the past.”

I would like to congratulate the university on their decision to move in a new direction, in particular on the extensive work and community consultations they have completed in order to arrive at this decision, and on the resulting report of its task force. I look forward to seeing how the university further acts on the recommendations of its task force to move towards greater inclusivity and equity for Indigenous learners.

As a place of higher learning, Toronto Metropolitan University and the self-reflection it has pursued over the last few years can serve as a lesson that a deeper collective understanding of the Indian residential school system is an important step on the path towards reconciliation.

The Truth and Reconciliation Commission Calls to Action set out a path for advancing meaningful reconciliation. Our province is taking concrete action to make progress on reconciliation. We have committed \$37.2 million over four years, from 2021-25, to support the identification, investigation, protection and commemoration of residential school burials across the province. Our government is also continuing to advance reconciliation through initiatives that make a meaningful difference in addressing key socio-economic needs and inequities. This includes crucial work to support and protect the most vulnerable populations, including Indigenous children, youth and women.

In spring of last year, Ontario released Pathways to Safety: Ontario’s Strategy in Response to the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls. The strategy includes over 110 initiatives organized under six pathways that will help create the changes required to eliminate the root causes of violence and advance meaningful reconciliation.

Our government wants to create a better future for everyone across the province, including the most vulnerable, and to promote economic prosperity for all.

I would like to take a moment to recognize the incredibly hard work of my colleague Minister Rickford, who has been steadfast in his work in support of First Nations and Indigenous communities. Through engaged, collaborative partnerships based on mutual respect and understanding, the minister has led the government’s efforts towards reconciliation in an honourable and productive way.

I’m truly grateful to work with some wonderful, hard-working advocates, and we all know there is still more work that has to be done. That is why we are working to advance opportunities for employment and resource revenue sharing with Indigenous partners and northern communities, including in the mining, forestry and aggregate sectors. Through these agreements, we are working with Indigenous communities to share in the economic benefits of aggregates, forestry and mining developments. Our province has shared approximately

\$94 million with Indigenous partners since the first three were signed in 2018.

These are some examples of the very real steps our government is taking towards reconciliation and ensuring that meaningful economic opportunities are available to Indigenous people. There are many more, from our \$27.5-million investment in 2022-23 to support training, job creation, community infrastructure and consultation capacity in Indigenous communities, to committing \$25 million over three years for Indigenous economic and business recovery from the COVID-19 pandemic, to enabling the Watay Power project through a \$1.34-billion loan from the province for the project’s construction costs. This project is the largest First Nations-led infrastructure project in Canada and most far-reaching First Nations grid connection in Ontario’s history. When complete, the project will provide 17 First Nations and over 18,000 First Nation people across northwestern Ontario with a clean, reliable and affordable supply of electricity.

There are many more examples that show the concrete steps we are taking to improve conditions for Indigenous peoples. However, in spite of all we have done so far or are in progress of doing, we know there is more work to be done, and Ontario is committed to the continued implementation of the calls to action and our collective reconciliation journey.

1510

As the Minister of Colleges and Universities, my focus is on supporting programs and initiatives in post-secondary education that will promote access and success for Indigenous learners. We know there is an attainment gap in post-secondary education between Indigenous and non-Indigenous learners. Approximately 53% of Indigenous learners, young people, aged 25 to 64, hold a post-secondary credential, compared to 65% of the non-Indigenous population. There is widespread agreement by Indigenous leaders, communities and education professionals that investing in culturally responsive post-secondary education opportunities for Indigenous learners will have tremendous benefits and reduce this gap.

To this end, colleges and universities across Ontario are committed to improving Indigenous learners’ access, inclusion and participation in post-secondary education. They have prioritized many activities, some in response to the Truth and Reconciliation Commission of Canada’s Calls to Action, including some activities such as hiring and retaining more Indigenous faculty and staff; increasing recruitment, bursaries and scholarships for Indigenous learners; including more Indigenous content in courses and offering new programs, courses and degrees specializing in Indigenous subject matter; and increasing partnerships with local Indigenous communities.

Our government supports colleges and universities in providing culturally appropriate services and student supports to Indigenous learners through the Indigenous student success fund. Through this fund, our government invests \$18.2 million annually to fund programs and services such as Indigenous counsellors; post-secondary education experience camps; elders in residence;

academic supports; access to mentoring, counselling and advising services; partnership development; and student and community outreach activities.

To further ensure that universities and colleges include culturally appropriate services, institutions that receive the grant are required to maintain an Indigenous education council comprised of Indigenous community members who provide advice and input on programs and services.

To respond to community needs, colleges and universities also offer Indigenous study programs such as social work, teaching, early childhood education and language programs.

In addition to promoting inclusion for Indigenous learners at colleges and universities, Ontario supports Indigenous institutes in providing post-secondary education and training for nearly 1,500 Indigenous learners. Indigenous institutes are an important pillar of our post-secondary education sector and can act as a major local hub for their communities. That's why, five years ago, Ontario took a historic step to formally recognize their important role in post-secondary education in this province. That's when the Indigenous Institutes Act, 2017, came into force.

Nine Indigenous institutes in the province are currently part of the publicly assisted post-secondary education system. Not only do they provide education and training for hundreds of Indigenous learners, but they offer programming in a culturally holistic and safe learning environment—an environment where Indigenous knowledge and ways of knowing are woven into all aspects of the learner experience.

Several institutes serve northern communities in rural and very remote parts of the province. They provide critical access to learners who might not otherwise participate in post-secondary education and training. Our government is committed to supporting Indigenous institutes to provide learners in all parts of the province with access to high-quality education and training so that Indigenous institutes continue to flourish and respond to community demands and the needs of the local labour market. That's why our government continues to invest in Indigenous institutes across Ontario.

As I noted earlier, the people of our province are our greatest asset, and there is no greater investment than in the talent and the skills of the next generation.

I'd like to talk about the nursing and personal support worker programs at six Indigenous institutes. This includes an investment of \$34 million over four years to increase enrolment in nursing and personal support worker programs at six Indigenous institutes. This investment will make a significant difference in supporting our health care system and will help Indigenous learners pursue rewarding careers.

I had the opportunity to recently visit Six Nations Polytechnic with our MPP from Brantford–Brant, where we had the opportunity to visit a PSW, an RPN and an RN course and heard directly from students the amazing stories about how this funding impacted their lives. There was one young gentleman, and he had a family member who was already working in health care. He was a current

bylaw officer, and he was looking for a profession change. And with the funding that was available and the opportunity, he enrolled in the PSW program, and the excitement in his eyes—I said, “What are you looking for in the future?” He said, because of the bridging program and the opportunities, his future endeavour was to become a registered nurse, but he was able to work his way up through these steps.

I also talked to a young woman who still had a month of the course left and who had already been hired at a long-term-care centre as a PSW. She was so excited to finish her training because she had a job waiting for her. I was hearing the same story from all of these students: that PSWs were so in demand in their own communities that they already had job offers before them before they even finished the program. It was amazing for me to see these students. It was one thing to sign a directive and allow this funding but another to actually sit in front of these students and hear first-hand from them what this money meant to them and the direct impact it would make on them, their families, their children and, of course, their community.

I also want to note that to make it easier for Indigenous people to access a culturally supportive and high-quality post-secondary education, we are also reducing financial barriers for Indigenous learners. Our government opened the doors to OSAP eligibility for Indigenous institutes as of the 2020-21 academic year.

In addition, Ontario offers a range of grants and loans through OSAP to support the unique needs and economic circumstances of Indigenous learners. These supports include the Ontario Indigenous Travel Grant, which addresses the high cost of travelling to college or university for Indigenous students living in remote First Nations. Through this grant, Indigenous learners can receive funding for travel costs to attend eligible institutions within or even outside of Ontario.

Last spring, Ontario also introduced a new Indigenous Institutes Accessibility Fund for Learners Grant: \$650,000 will be provided to the institutes to support accessibility for students with disabilities in the 2022-23 school year.

Reducing financial barriers to educational opportunities will help Indigenous learners and communities have the tools and resources they need to build the solutions to develop their economies, to revitalize languages and cultures, and to become empowered leaders.

At a local level, Toronto Metropolitan University has chosen to signal the start of a new chapter in its history by changing its name. The university's new name comes at a time of great expansion and growth for the institution as well. Back in the spring, our government announced how it has worked towards strengthening our health care system in Ontario through the largest expansion of medical school seats in a decade. As a part of this expansion, we are also building the Toronto Metropolitan University medical school in Brampton. This is the first new medical school in the GTA in nearly 200 years, the last being the University of Toronto in the 19th century.

1520

Whether it is through a new medical school or a whole new name, TMU is opening a new chapter, and our

government is proud to support the university's bold act in this step.

As part of our proposed legislative changes, we are also supporting Toronto Metropolitan University's request to increase its number of elected senate members and add the positions of deputy provost and vice-provosts to the university senate. This senate expansion reflects the recent evolution of the university, given the addition of the Lincoln Alexander School of Law and the soon-to-be-established school of medicine.

We've seen significant changes to the university over the years. Established by the government of Ontario in 1948 as the Ryerson Institute of Technology, some 15 years later, in 1963, the Ryerson Polytechnical Institute Act, 1962-63, changed the school's name and established it as an independent institution with its own board of governors. Eight years later, an amendment to the act empowered the institution to confer the degrees of bachelor of applied arts and bachelor of technology in addition to its traditional diplomas and certificates. Fast-forwarding to 1993, the institution was granted full university status and established as Canada's only polytechnic university. Then, in 2002, it was officially renamed Ryerson University.

The university is now one of the foremost institutions for research and innovation. With over 48,000 students, 125 undergraduate and graduate programs and 40-plus campus buildings located right here in downtown Toronto, the university is a major contributor to the Toronto economy and the greater prosperity of Ontario and Canada. As a government, we're committed to supporting our post-secondary education system to help learners across Ontario and from all walks of life get the education and training they need to be job-ready.

Our move towards reconciliation and equity for Indigenous peoples is still very much a work in progress. As a government, we will continue both to support changes at the local level and to take concrete steps provincially towards building a post-secondary education system that embraces accessibility and inclusivity, and promotes success for Indigenous learners and for all students. From the first day students set foot in the classroom to the day they graduate and start their careers, our government's plan to support learners will support everyone in Ontario who is willing and able to have the tools and the opportunity to reach their full potential.

Our government is ready to take bold, decisive action in order to do what is best for Ontarians, and we need to remind ourselves that the heart of this action is the post-secondary education sector and the students. That is why the measures we are proposing are, first and foremost, student-focused. If students don't feel safe or a sense of belonging, this will impact their success. It will impact their performance, not just in school but long before and long after graduation. Post-secondary institutions have a responsibility to provide a safe and supportive learning environment and are expected to do everything possible to address issues on campuses, be they sexual misconduct or righting historical wrongs.

These amendments, if passed, will benefit students by helping to create a safer, more respectful environment and campus community. Bill 26 provides measures to help position our post-secondary education sector for continued success for present and future generations. The sexual misconduct measures will provide students with more protection, empowering them to achieve their full potential during some of the most formative years of their lives.

We are building on past successes to help students feel safe and supporting our institutions to continue to uphold high standards. We will continue to work with our colleges and universities, student groups and other partners to make sure our world-class post-secondary institutions support a bright future for the people in this province.

I feel optimistic about these changes, and I appreciate your support as we move forward.

The Deputy Speaker (Ms. Donna Skelly): Further debate?

Ms. Natalie Pierre: Good afternoon. I'm pleased to build on Minister Dunlop's remarks about the proposed legislative changes that will help set students up for success throughout their post-secondary education and as they transition to rewarding careers.

I think back to a couple of weeks ago, when I had the pleasure of attending the annual college fair here in Toronto. With thousands of people visiting the fair each year, it was wonderful to see in person so many high school students, parents and mature learners exploring their post-secondary options.

I can tell you that their enthusiasm was palpable: the 16-year-old who is considering post-secondary education for the first time and sees just how many great options are available to them; the grade 12 student who loved all the shop classes in high school and realizes an apprenticeship can help turn that passion into a lucrative career; the proud parents who are helping to guide their children towards the next big milestone; and the mother of three who is returning to college to pursue a career change of her own.

I've worked in the post-secondary sector for many years, and the fair was a great reminder to look beyond the numbers and the crowds and really acknowledge how impactful and inspiring an experience like that can be for prospective students. If I could bottle the excitement, I would, because for most of us, there are a handful of moments in our lives where we can so clearly see our next chapter beginning. The start of your post-secondary education is one of those moments.

As a government, our priority is to support Ontario students and help them access high-quality education—education that will develop the knowledge and skills they need to get good-paying jobs and support the growth of our economy. But in order for students to flourish in post-secondary education and beyond, we first need to provide them with a solid foundation that fosters success. All students in Ontario deserve to learn in a healthy, safe and respectful environment—an environment where they don't have to worry about discrimination or harassment while accessing an education.

The safety and well-being of everyone on Ontario's campuses is a critical responsibility of our post-secondary

institutions. For our part, our government will continue to take actions to support institutions in their efforts. That's why today I am proud to show my support for the two initiatives outlined in the Strengthening Post-secondary Institutions and Students Act, 2022.

As Minister Dunlop explained, the first set of amendments in the bill introduce changes that demonstrate our—

Hon. Paul Calandra: Point of order.

The Deputy Speaker (Ms. Donna Skelly): I apologize for the interruption.

I recognize the government House leader.

Hon. Paul Calandra: I wish to inform the House that there will not be a night sitting this evening.

The Deputy Speaker (Ms. Donna Skelly): Thank you for the point of order.

I recognize again the member for Burlington.

Ms. Natalie Pierre: As Minister Dunlop explained, the first set of amendments in the bill introduce changes that demonstrate our zero-tolerance stance for sexual assault, harassment and any other form of violence in our communities.

The legislation seeks to help institutions better address faculty and staff sexual misconduct against students. This includes equipping institutions with stronger tools to address these instances, should they occur, unfortunately. Institutions would also be required to have sexual misconduct policies that provide rules for behaviour between employees and students, and examples of disciplinary measures for employees who break these rules. Finally, the proposed changes would prevent the use of non-disclosure agreements, which can sometimes be used to hide the prior wrongdoing of an employee when they leave one institution for another.

As someone who led hiring and recruitment at Sheridan College for the past 13 years, I can tell you first-hand the level of responsibility institutions feel to get it right. Not only do we want to surround our students with educators who are inspiring and engaging, we also want to ensure these educators are unfailingly professional.

I'd like to reiterate Minister Dunlop's statement that in most instances the faculty and staff at our post-secondary institutions are doing an exceptional job and are demonstrating incomparable behaviour. Unfortunately, there are a few cases where this cannot be said, and so our government will not hesitate to step in.

The second set of amendments in the Strengthening Post-secondary Institutions and Students Act would change the name of Ryerson University to Toronto Metropolitan University. As Minister Dunlop mentioned, the university took steps toward making this name change because of concerns with the legacy of Egerton Ryerson and his role in the creation of Canada's residential school system.

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The university came forward earlier this year to request the government make Toronto Metropolitan University the official legal name of the institution, and we are pleased to support this step in the university's continued

journey—a journey that better aligns the university's name with its current values.

For many years, I have been a committed mentor and coach for students, working with high school, college and university learners to help them overcome the challenges they face in entering the workforce. As someone who is passionate about post-secondary education and supporting students on their career journeys, I can so clearly see how these proposed legislative amendments would be critical to bolstering student success.

Ultimately, it all comes down to supporting student access to post-secondary education and ensuring a safe, inclusive learning environment once they get there. I'm proud to say that our government has taken extensive action over the past few years to make this happen.

But while a relatively high number of Ontarians participate in post-secondary education overall, there are still certain groups that, for various reasons, are under-represented at our colleges, universities and Indigenous institutes. That's truly a shame, because this province needs representation from all individuals who call Ontario home—their very perspectives and ideas that make us undoubtedly stronger.

For example, low-income students have a high school dropout rate of 30% to 50% and are less likely to enter post-secondary education and to succeed once they arrive. As you can imagine, family income is an especially strong predictor for attending university. As such, young people from high-income families are two to three times more likely to go to university than students from low-income families. Youth in extended society care—often referred to as crown wards—face similar difficulties, with 56% dropping out of high school. It goes without saying that this can often lead to unemployment or underemployment.

And there are students whose parents did not attend post-secondary education. It can be a great honour and a lot of pressure to be the first in your family to pursue higher education. Unfortunately, only 56% of first-generation individuals have a post-secondary credential, while that number jumps to 89% for those whose parents both have a degree, diploma or some other credential: 56% compared to 89%—a significant gap.

Students with disabilities face their own unique set of challenges accessing and succeeding in post-secondary education. In 2021-22, over 96,000 post-secondary students were registered with offices for students with disabilities at publicly assisted colleges and universities, and that number has been on the rise for years.

Finally, I'll note that in 2019, 37% of Ontarians reported having a university degree, but for Indigenous students, only 16% of off-reserve Indigenous individuals did.

Now, I realize these stats can paint a stark picture of inequity in our province and in Ontario's post-secondary sector, but it's important we acknowledge the many factors at play in the context of the important legislation being discussed today. I'm proud to say our government has taken definitive action to better support the inclusion, access and success of more students at Ontario's post-secondary institutions.

For example, in March of last year, the Ministry of Colleges and Universities engaged with the Premier's Council on Equality of Opportunity. The council is an advisory group that champions community voices and provides advice to the government on how to help young people succeed in Ontario's changing economy.

The goal of engaging the council was to help seek feedback from stakeholders and advocates on how the government can better respond to accessibility challenges faced by minority groups at our colleges and universities. We coordinated consultations with different under-represented groups in the post-secondary sector, including those I mentioned earlier.

We wanted to hear directly from individuals regarding the barriers they experienced accessing higher education and any challenges they had once they got there. That insight is helping our government shape a better, more inclusive post-secondary system. I'm proud to say that we have many programs in place that are making a very tangible difference in this area.

For example, we provide nearly \$10 million annually to Pathways to Education, a not-for-profit organization that provides academic, financial, social and one-on-one supports to youth in certain low-income communities in Ontario. Pathways helps these youth graduate from high school and successfully transition to post-secondary education. This program supported more than 3,000 students in Ontario last year. That's 3,000 more students who suddenly have the door of higher education open to them. I know Minister Dunlop had the pleasure of attending the Pathways to Education Grad Ball a few weeks ago. That event is always a wonderful opportunity to see the very real difference this program makes to so many young people.

Our government also provides more than \$11 million annually to support Ontario post-secondary access and inclusion programs at colleges and universities. This funding helps institutions to provide outreach, transition and retention support to students who, without supports and interventions, would not otherwise access post-secondary education. It is designed to help students see the value of higher education, see themselves in post-secondary, help them make the transition and succeed once there.

We also support something called Ontario education championship teams. As I mentioned earlier, it can be challenging and overwhelming for a first-generation post-secondary student to pursue higher education. This is often the case for youth in extended care. Ontario education championship teams help remove informational and administrative barriers for those students so they can transition to post-secondary education and access training and employment. The 21 teams are made up of children's aid societies, school boards, post-secondary education institutions and employment services. They are doing truly great work. Each year, this important program supports an average of 6,000 students. Again, that's 6,000 students who may not have thought a post-secondary education was a possibility for them.

Finally, in the context of today's proposed legislative amendments, I'd like to highlight the work we're doing to support more Indigenous learners with their post-secondary goals. The Indigenous Targeted Initiatives Fund is one initiative that comes to mind. We're providing up to \$4 million to the fund over two years. It supports publicly assisted colleges, universities and Indigenous institutes, as well as long-standing Indigenous partner organizations to create and develop new, unique and innovative projects that support Indigenous learners. These programs are helping Indigenous youth transition to post-secondary education, increasing access to and success of Indigenous women in post-secondary, and also supporting Indigenous learners to successfully transition to the workforce.

Efforts like these are critical, because—as I mentioned at the very beginning of my remarks—building and encouraging a post-secondary system that embraces accessibility and inclusivity, and promotes success for all learners is absolutely necessary, because when students succeed, Ontario succeeds.

Ontario students are doing incredible work at their post-secondary institutions and beyond, but the simple truth is that students are more likely to succeed and produce exceptional work in an environment where they don't have to worry about discrimination or harassment while accessing a post-secondary education. All students in Ontario deserve to learn in a healthy, safe and respectful environment.

At the Ministry of Colleges and Universities, we participate in several formal opportunities each year to acknowledge the talent of our students and graduates, talent that is fostered at post-secondary institutions across the province, where students feel safe, heard and supported. Let me tell you about a few.

1540

The Premier's Awards for Ontario College Graduates: Each year, these awards celebrate the outstanding contributions college graduates make to Ontario and throughout the world, and each year we are blown away by the accomplishments of the winners.

Last year's award recipients included a graduate of Sheridan College and a fire/life safety education officer at Brampton Fire and Emergency Services. As an immigrant from Trinidad and Tobago and a single mom of three, this inspiring individual has completed three college programs with a dedicated objective of keeping her community safe through fire safety, education and resources. Additionally, she is on Brampton's diversity team, where they strategize and lead fire and safety awareness outreach to Black, Asian and LGBTQ2S+ communities.

Ultimately, we have to get down to the foundation of this great work. When it comes down to this, Ontario students have the potential to do incredible things, and we see this in some of the examples I've shared today. But in order to set students up for success, so they can achieve such milestones, we need to remove barriers to education and provide them with the kind of safe, encouraging, respectful environment where they can focus on what's most important.

As Minister Dunlop said, our government is ready to take bold, decisive action in order to do what's best for Ontarians. As someone who has worked in the sector for many years, I know that if students don't feel safe or a sense of belonging, this will impact their success. That's why I'm so pleased to see that the measures we are proposing today are truly focused on what matters, the students.

The Deputy Speaker (Ms. Donna Skelly): We now have time for questions and answers, beginning with the opposition side.

Ms. Jennifer K. French: My question is to the Minister of Colleges and Universities. As we are going to have an important conversation about post-secondary education and are discussing the Strengthening Post-secondary Institutions and Students Act, I wanted to read something from the Canadian Federation of Students:

"Students and graduates are struggling with some of Canada's highest tuition fees, large loan repayments, employment challenges, financial uncertainty, insolvency, houselessness, food insecurity, increasing mental health needs, a skyrocketing cost of living and more. Since 2008, per-student funding in Ontario has been behind the rest of Canada and has continued this steady decline, leaving the province in last place nationally.... This is at a time when nearly 70% of jobs in Ontario require some level of post-secondary education; the province should be investing in students, rather than indebting them." This is from their budget submission.

So my question to the minister is, why don't we see an answer to some of these things in a bill called the Strengthening Post-secondary Institutions and Students Act, and what can our post-secondary students expect from this government?

Hon. Jill Dunlop: Thank you to the member for the question. That's why this government decreased tuition by 10% when we came into power in 2018, and we continue to freeze tuition because we recognize the situation that students are in.

But this bill is about protecting students on and off campus. As you saw in the fall, we brought regulations forward to protect students—student-to-student misconduct—and we're taking it one step further to ensure that students are protected from faculty and staff sexual misconduct. This was brought to light not only from the stories that we were hearing but the stories in mainstream media, which is why we further decided to consult and brought together over 100 stakeholders and heard first-hand from those stakeholders—whether it was post-secondary institutions, the faculty organizations and student organizations—that this was a real issue on campuses.

The Deputy Speaker (Ms. Donna Skelly): Question?

Mr. Anthony Leardi: This bill proposes changes that quite frankly are long overdue. We should be protecting students at colleges. We should be protecting students at universities. I'm glad this government is making this a priority.

I've taken an opportunity to read this bill. Schedule 1 is very impressive. I don't expect all members of this House to be able to read and understand that. But if you read it and take a look at it, this is what we call in the legal profession "teeth." This bill has teeth. And so my question is this: How are these measures specifically going to support students and the survivors of sexual violence?

Ms. Natalie Pierre: Thank you to the member for the question. Put simply, Bill 26, if passed, will put an end to the secrecy around faculty-student sexual violence. As we have seen in reports in recent years, uses of non-disclosure agreements to prevent students from seeking legal recourse against the offender, and the ability for faculty and staff to move from one school to another without facing any punishment or outright dismissal, is far too common in post-secondary education.

In many cases, collective agreements allow offenders to receive greater protections and rights than survivors of sexual violence.

The Deputy Speaker (Ms. Donna Skelly): Question?

M^{me} France Gélinas: I would like to ask a question to the Minister of Colleges and Universities. One of the first steps that the government did toward the universities was to defund social services programs right on campus. Those social services programs were assisting students with disabilities, they were assisting survivors of sexual assault. Now, in many universities, those programs don't exist anymore and there is no money for them.

I was wondering how she reconciles what's in the bill with what's happening on the ground in all of those universities where those programs don't exist anymore.

Hon. Jill Dunlop: Thank you to the member for the question. We've increased mental health supports on campus. I actually had the opportunity to speak this morning to the campus mental health associations about the supports and some of the amazing things that are going on. Coming out of the pandemic—with students having to switch to online learning—finally, this fall, actually seeing students 100% in classes across Ontario was great to see, because we know that this has been difficult on their mental health.

But we're talking today in this bill about the supports for students when it comes to staff/faculty sexual misconduct and how we will ensure that students in this province are protected—that when they go to school on campuses in Ontario they know this will be a safe learning environment.

The Deputy Speaker (Ms. Donna Skelly): Question? I recognize the member from Whitby.

Mr. Lorne Coe: Thank you, Speaker. It's great to see you in the chair this afternoon.

I want to congratulate the minister and her parliamentary assistant on this piece of legislation. It's so impactful. I'd like the minister, if she could for just a few minutes—we've got four minutes—speak specifically about how Bill 26 builds on legislation that the minister led and implemented about a year ago and how it is going to expand, particularly the regulations you introduced about a year ago, and how Bill 26 is going to move this

forward even more and protect students in universities and colleges across Ontario.

Hon. Jill Dunlop: Thank you to the great member—he has a couple of post-secondary institutions in his riding, that I've had the opportunity to visit, that are doing amazing work. I know it's very important for them at Ontario Tech and Durham College to ensure that there's a safe learning environment for students.

As the member mentioned, we brought in regulations last fall that went through this this past March to ensure that students were protected on campus from other students. This bill builds on that to ensure that students are protected from faculty and staff sexual misconduct on campuses. It's actually giving institutions additional tools, and one of those is to ensure that schools are not using non-disclosure agreements—so that if this happens on a campus at one of our schools they're very transparent that this has happened and they cannot go to another school with this wrongdoing.

The Deputy Speaker (Ms. Donna Skelly): Questions?

Ms. Teresa J. Armstrong: I want to thank the minister for bringing the subject forward. It's always important to talk about sexual assault because secrecy is one of those things—when you don't talk about things, that's when things fester. No one should be put in those kinds of positions where they can't come forward to tell their story and be believed and be investigated and the situation be rectified.

1550

I listened to the minister intently and I wanted to ask: A lot of the time you are continually saying, “on campus, on campus.” There's many events that happen off-campus where faculty and students attend frequently. Would this apply to sexual assaults by faculty on students, in this particular case that I'm using, off-campus?

Hon. Jill Dunlop: Thank you to the member for that question. I know we agree that student protection at campuses in Ontario is important, so this would qualify for on- and off-campus for faculty and staff sexual misconduct towards students.

The Deputy Speaker (Ms. Donna Skelly): Questions?

Mrs. Robin Martin: I want to thank the minister and parliamentary assistant for their presentations today and I do think this is an important piece of legislation, which is advancing the cause of protecting our students and making sure they have a welcoming environment, which I think we can all support.

I actually wanted to ask the parliamentary assistant a question. You mentioned that you had experience at Sheridan College. I think you also said “When students succeed, Ontario succeeds.” Can you just give us a little insight from your own experiences at Sheridan College about how important this will be for students to succeed?

Ms. Natalie Pierre: Thank you for the question.

So in my experience at Sheridan College, I had the opportunity to coach and mentor numerous college students and, in my experience, when college students feel supported and safe in an inclusive environment, they're set up for success. That can include mentoring them; work-

integrated learning programs; having resources available to them within the school to support them, to support their mental health and to have services available if something does come up and they have someone to go talk to about any issues that occur inside or outside of the classroom.

The Deputy Speaker (Ms. Donna Skelly): Further debate?

MPP Kristyn Wong-Tam: It's an honour to rise today to speak to Bill 26, Strengthening Post-secondary Institutions and Students Act. I'd like to thank the Minister of Colleges and Universities and the parliamentary assistant for tabling this bill. There are important initial steps in this bill that I think should be flagged, and those elements should be addressed today. In my remarks, I'm going to discuss the history behind the bill, which the minister had alluded to. I'm also going to want to read into the record my own thoughts as they relate to the renaming of Ryerson University.

I think this bill can be improved, and, hopefully, it will be by the government taking some of the advice of the community members, as well as student unions, unions representing faculty and, of course, members of the opposition. All of us are very deeply committed to making post-secondary institutions and the learning environment as good as possible. I would say, hopefully the best place to learn in Canada can be right here in Ontario.

This bill affects my riding of Toronto Centre by legislatively changing the name of what is known as Ryerson University to Toronto Metropolitan University, or what we now know as TMU. I want to recognize the extraordinary work that members of the TMU community put into this process and I want to say, Speaker, it really was, bar none. Believe me, I can tell you that many people have strong feelings and opinions about renaming streets and institutions, and not all of them are positive. But I do believe that everyone can agree that Toronto Metropolitan University is a significant improvement, especially if we compare it to what we were calling it in the interim, which was X University or University X. Community members resorted to doing so because they were actually making a statement, in advance of the actual renaming of the university, that they did not support colonialism. They wanted to make a statement to show to the world that this is what they felt about the Indian residential school system.

I believe that the university's renaming process is something that we can all learn from, especially in the age of reconciliation. Simply put, the previous name evoked trauma and other negative reactions for survivors of the Indian residential school system. I want to recognize that the university students themselves and the Indigenous community were the ones who were calling for this change. They were the very first ones to make the demand, and they were the ones who actually, then, led the process afterwards. I surely do understand that there's not an absolute shared view on the assessment of Adolphus Egerton Ryerson's role in history, but we can be clear—and I think it's now indisputable—that honouring Ryerson's name had the impact of gaslighting real trauma

experience and carried forward by Indigenous students and university community members.

I want to quote a community member from the university in the report that led to this bill:

“We cannot continue to celebrate Ryerson in the faces of those who are wounded. I believe that part of our moving forward with reconciliation must absolutely include revising our judgement of what constitutes right and wrong. It is not, and never will be, enough to footnote this disgrace as an error in judgement or a consequence of the times.”

In a perfect world, maybe none of this had to happen. We wouldn't have gone through it at all—no Indian residential school system, no children forcibly taken from their families, neglected and abused by the church and the state. Indigenous children were violently stripped of their hair, their clothes, their language, their culture—small and malnourished children buried without their ceremony, without their families and with unnamed tombstones.

We don't live in that perfect world, and Egerton Ryerson is widely known and credited now for his leading role in championing public education, including being a major architect of Canada's shameful Indigenous residential school system. In 2021, our nation was rocked by the unearthing of unmarked graves of children on school sites. Indigenous people have been telling this to us as Canadians for years, but we didn't listen, or perhaps some didn't believe them, until the bodies were uncovered.

The university began a difficult process to heal, to unite and to move forward. The university named a committee, Standing Strong (Mash Koh Wee Kah Pooh Win) Task Force. This task force consulted with our Toronto community members and built this path forward. They consulted with over 11,000 participants throughout this entire process. I want to thank every single one of those members of the Standing Strong Task Force for their incredible hard work. They were able to hold space for trauma while listening to the community and then charting that path forward.

In this process, President Lachemi said the Standing Strong Task Force and the university are showing Ontario and Canada that we can look into our full history and still be able to walk forward together.

This was not easy work, Speaker, and I just want us all to recognize that as we as Canadians move forward on the path towards reconciliation, every single one of us can learn from the leadership that was exhibited at Toronto Metropolitan University, as well as their president and, of course, their student body.

President Lachemi says that this list of names was developed by a committee of professors, administrators, students and alumni and that, “Only by renaming can our university move into a future that better reflects who we are today and who we aim to be”—such wise words from the president.

I want to also recognize that when the president submitted this name forward to the board of governors, it was unanimously adopted, and I want to quote that, “For as long as the university is named after Egerton Ryerson,

the narrative that will be centred on his legacy.... With a new name, the university can boldly move forward, guided by our institutional values and principles of commemoration.”

I want to thank every one of them who actually stepped forward, the 11,000 participants who took the time to give us their thoughts and their feelings—and for those who are survivors of Indigenous residential school system, this is one small but significant gesture towards that path.

Speaker, I'd like to now turn my focus to this bill, specifically on how it's going to improve post-secondary education, especially in regard to sexual violence on campus. While sexual violence can touch any student, we must also recognize that some students would experience more violence than others. Those students include those living with disabilities, students who are 2SLGBTQIA-identified, Indigenous, Black and racialized students.

Unsurprisingly, students who have experienced unwanted sexual behaviour report that it has affected their mental health, their academic performance and, for a significant proportion, changed how they actually moved through the university. Students then talked about how they experienced sexual violence, sexual assault, sexual harassment. How they experienced that is consistent with PTSD. There are serious and long-lasting effects of experiencing sexual violence that do not always get reported through the post-secondary institution, nor is it always affiliated with the school. Fewer than one in 10 actually told someone at the institution that this had happened to them, because they also doubted that the institution itself would take them seriously.

1600

Most of the students who experienced unwanted sexual behaviours said the perpetrator was another student. Only 5% of women and 2% of the men said that the perpetrator was a professor or instructor.

However, Speaker, I also want to recognize that when the minister was speaking, she was using predominant language talking about the protection of students, but I think we need to go beyond that and recognize that everybody can be a survivor. Everyone can have unwanted sexual behaviours directed towards them. So, I want to recognize that faculty, staff, contractors, third-party employees, alumni and visitors can also experience unwanted sexual behaviours. We don't have a lot of great data on this, but we can largely agree that it takes place on- as well as off-campus.

There's a general survey on sexual violence and harassment that many Canadians who have experienced sexual violence in the workplace can draw from. An Angus Reid survey in 2018 found that 52% of women have experienced sexual violence and sexual harassment in their workplace, and 89% of women have taken some steps to avoid unwanted sexual advances. They were trying to do this pre-emptively to prevent sexual violence directed at themselves and their bodies. A Statistics Canada survey from 2020 found that half of the workers had experienced or witnessed unwanted sexual behaviours at work in the

previous year. Bill 26 proposes some new measures to address this, Speaker, and I'm grateful for it.

Specifically, it amends the Ministry of Training, Colleges and Universities Act to define sexual abuse, as sexual relations with a student, touching of a sexual nature, or behaviour or remarks of a sexual nature toward a student by an employee where the act constitutes a criminal offence, or the act infringes on the right of a student under the Human Rights Code to be free from sexual advances, or the action contravenes the institution's policy or employee handbook. That is a good thing, but as I noted, it can go much further. Students are not the only ones being harmed in the university, college or post-secondary institution environment.

Bill 26 also protects students currently from reprisal or threats of reprisal for the rejection of a sexual advance. Again, it needs to go further to protect everyone in the university, college and post-secondary institution who has been harmed or affected by sexual violence.

Bill 26 lays out some new provisions for discharging or disciplining employees for sexual abuse, including that the employee is not entitled to notice of termination, termination pay or any other compensation, as well as a ban on re-employing an employee who was terminated or who has resigned due to sexual abuse of a student. We cannot let that language be unexplored. I think that we need to further dive into it to make sure that we're actually not going around arbitration agreements, bargaining rights or undermining the effects of a union. We can do both: We can condemn the actions of an abuser and a rapist while protecting those who have the right to support from their unions. I want to make sure that that is crystal clear in the act, Madam Speaker—right now, it's not.

Bill 26 also requires that every post-secondary institution have an employee sexual misconduct policy. The requirement for institutions to have an employee sexual misconduct policy is also a welcome measure. We should have them everywhere in every single workplace, not just in the post-secondary institution environment. We should have clear expectations and boundaries, with examples, making sure that it is easier for students as well as workers to come forward when there is abusive behaviour, knowing that that abusive behaviour will then be recognized as harmful as well as inappropriate.

As Courage to Act notes, clear statements of expectations serve an educational role, letting both students and workers know what behaviours are not allowed and will not be tolerated, assist in setting clear boundaries, in aiding and reporting violations and accessing supports, and they commit the institution to follow through when a report is made. When someone comes forward and tells their story, as painful as it is, and relives the trauma, what happens next? You can't leave it only to the interpretation of someone who is receiving the story. That's why policies that are clearly defined make a huge difference in counter-acting, addressing and ending sexual violence.

These employee sexual misconduct policies are important. They are an opportunity for the employer to think through the various categories of employees, including

student workers such as teaching assistants and graduate student instructors. They have differing powers. They have differing rights. Some of them are precarious workers who don't need to be terminated, but can simply not have their contracts renewed.

We need to be able to explore all of that. For example, what happens if an instructor is also a classmate in another setting? That also happens. They're an instructor; they're also a student. How would you address that? Bill 26 does not explicitly address that right now. It does not explicitly require post-secondary institutions to think through the different categories of workers in creating this policy. That is another area where the bill can be strengthened. I hope we can do that work at committee.

I hope that consultation at the committee stage will actually take place with students, unions and other stakeholders to contribute to enriching this government's bill so that it can also enrich our full understanding of sexual violence and the policies that are needed at PSIs—post-secondary institutions—in order for us to make it all better.

Bill 26 makes those changes for both publicly assisted colleges and universities as well as for private career colleges. Those are important changes as well, which I will get to.

The bill requires colleges, universities and private colleges to address student concerns about consent, abuse of power and silencing in cases of faculty or staff sexual misconduct against students. It will require post-secondary institutions to have policies in place to stop perpetrators of sexual misconduct from remaining at their institutions in positions of authority.

This bill responds to very well-known event that the minister had alluded to. I'm going to flesh out that incident a little bit more today. A professor who used to teach at the University of Windsor was able to relocate his career to the University of Toronto. The minister didn't name the university; I thought we should just put some locations on them. This professor was relocated while he was under investigation for misconduct at the University of Windsor in 2014. While he was on leave and under investigation, the University of Windsor did not notify the University of Toronto about a serious complaint against the professor, who was then once again put in a position of authority and power over vulnerable students.

It was only because of the leadership and personal risk that Professor Julie Macfarlane took to protect these students, including facing a defamation suit for speaking out, that his position—the perpetrator of violence and sexual assault—at the University of Toronto ended. Can you imagine, Madam Speaker, that we actually did not do the job we needed to do to protect students? Each and every single one of us have people that we love dearly. We send them off to high school; we send them off to post-secondary institutions, and then there are these system gaps.

The University of Windsor—this is why they didn't do it and this is why it's important—cited privacy and labour laws as reasons for not notifying the University of

Toronto. In fact, they had instructed Professor Macfarlane not to contact the University of Toronto.

This legislation will create protections for survivors as well as for post-secondary institutions to ensure instances like this never happen again. That's why this bill is important.

This legislation will ensure that post-secondary institutions are legally compelled to prioritize the safety of their students. That should be commended. We have to protect survivors. We have to protect our students and anybody else who could be on the receiving end of sexual violence.

1610

However, I want to point out an opportunity to make this legislation better, because I think we're all interested in doing that. As I expect all of your constituency staff to be aware of, changing one's name in Ontario requires a criminal background check. It also requires that someone prove that they are not changing their name to avoid outstanding credit payments, child support or spousal support. I would welcome it if this bill incorporated post-secondary sexual misconduct complaints in the name-changing process. It is entirely conceivable that someone would be placed on a registry, change their name and then be rehired at a different post-secondary institution. Since that is exactly what the bill is working to prevent, I would flag this as a concern for members of the House.

One provision prevents the use of non-disclosure agreements in instances of faculty as well as staff misconduct. This is another really critical step to protecting survivors, because those agreements have historically been used to silence survivors as well as allow people to commit sexual assault or harassment and jump from one post-secondary institution to another without any repercussion: "Just get an NDA signed, and I'm going to go to my next gig." I'm pleased to see the introduction of such a tool for post-secondary institutions to avoid passing the problem, and then protecting the actual students and the community on campus.

Many professional bodies, whether they be doctors, teachers or social workers, have a public registry listing members who have been discharged for sexual misconduct, providing vital information during hiring processes. While it is important to ensure due process for everyone who faces a complaint or a complaint of sexual misconduct that's brought before them, it is also very positive to see the government take steps to prevent the rehiring of someone who has perpetrated sexual misconduct. We should look to the examples of other provisions to make this bill stronger.

I'd like to point out one particular province, where we can actually get some additional information from. Provinces like PEI are leading the way by enacting legislation to stop non-disclosure agreements from being used to protect perpetrators of sexual violence at all. Bill 118 in PEI, called the Non-disclosure Agreements Act, severely curtails how NDAs can be used to silence survivors and protect perpetrators. It is a fantastic piece of legislation that came into effect this year. There are echoes of the same principles in this bill. I would welcome it if we could

make this bill stronger by reflecting what they did in PEI. I think that we can actually bring the non-disclosure agreement and amend that so we protect everyone in all workplaces.

I do not have to explain the problems, I don't think, about NDAs, especially in this House. So much of it has been reported in the media as of late. I'm just going to highlight the scandal at Hockey Canada. At Hockey Canada, NDAs protected perpetrators of sexual misconduct and they did enormous emotional and reputational damage and disservice to the sport. Parents discovered that their fees to their local hockey teams were then siphoned to a secret fund that the CEO knew about to protect perpetrators of sexual misconduct. I hope that members of this House can look at the debacle of that national disgrace and work to eradicate dangerous non-disclosure agreements in future legislation.

While protecting confidentiality is important, there are ways to report on this aggregate data that will allow the students as well as the unions and administrators and other stakeholders to assess all those outcomes, to measure progress and to make recommendations. Of course, not all the data is going to be clear and comprehensive and wholesome, but we do know that there are reports that we can draw on already. Statistics Canada has a survey that says that students found that fewer than one in 10 students who experienced unwanted sexual behaviour even told anyone who was associated with the school, let alone formally reported the incident. A significant portion of those students never ever reported, because they weren't sure if they should, but they also felt if they reported it, nothing would happen. That is a very telling and sad example for us to draw from, which is why it's even more important that we go as far as we can to strengthen this bill. Those major gaps in reporting must be dealt with.

Another obvious gap, in Ontario's post-secondary institutions, is the policies that students are working on to create participatory work-integrated learning opportunities—this government is a big booster on that. I support work-integrated learning environments myself, but we also need to make sure that, when those students are out in the field, when they are in MPPs offices, when they are doing their placement, they are also protected then. Especially if they are looking to that work-related learning experience for the completion of a co-op placement, internship or practicum to get their post-secondary degree or their diploma—all of that creates an environment where we have to close the gaps.

I hope that we can get this work done. Each and every single one of us should work together to advance better amendments at committee to make sure that the bill is improved. And, again, I want to state that while the legislation is an important step, more needs to be done to protect our students as well as our campus communities. We need to address sexual violence at post-secondary institutions in proactive, sustainable and holistic ways, not through piecemeal changes.

An amendment I would like to see would also be the inclusion of minimum standards for sexual misconduct

investigations. Right now, they don't exist. Post-secondary institutions do not have minimum standards on how they inform the design as well as the implementation of their sexual violence policies to ensure that they are procedurally fair, are clear, are trauma-informed and are survivor-centred, to reduce further harm through the process. Imagine that, not having a process—which means every college and every university can do what they want, because they are interpreting the rules because they are too loose.

Why is it that we have minimum standards in court for judges, but we expect post-secondary institutions to investigate and adjudicate a case of sexual misconduct without any training or legislative guidance? This is clearly a flaw in the legislation.

An example of a minimum standard is determining who can be an investigator and decision-maker in campus sexual violence cases and what the pillars of knowledge and expectations are for experience as well as training. How can we be confident that those who are investigating and adjudicating campus sexual misconduct can meet the foundational standards of procedural fairness and trauma-informed, survivor-centred practice so that they can reduce harm in a thoughtful and intersectional way? Currently the primary responsibility falls on the senior administrators, who may not have the support, access or training to do so. Simply asking them to do a job they are not qualified to do, trained to do or perhaps prepared to do is unfair.

We need to look at the ways in which sexual violence intersects with race, gender, class, disability, privilege and power to be able to have a nuanced conversation and develop impactful interventions. Our social locations impact the ways in which we are targeted for sexual violence, how we are able to access services, whether we are believed, when we can disclose, who we report to or how we are treated by institutions. That has to be addressed in the bill, and currently it is not.

Minimum standards will support students and post-secondary institutions alike. When we don't have minimum standards in place, it leaves so much room for interpretation. It actually perpetuates and creates additional harm against the students, the staff, the faculty—the whole campus community. It also increases institutional risk—and every single one of us can talk about risk and reputation management. Those missteps can cost an institution its credibility and create additional financial and legal challenges for them down the road.

Minimum standards would give every post-secondary institution a clearer path to developing and implementing a fair, trauma-informed sexual misconduct policy, setting a higher and more consistent standard across our institutions. I think we should all want that.

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I want to share an example from the University of Toronto's faculty of music. In 2021, student organizers strung a clothesline on the campus to raise awareness and air the university's dirty laundry. While the University of Toronto has a complaint process, students, faculty and

instructors described how that process did not go far enough. They talked about a culture of protecting established figures from the faculty of music. While thousands of students were aware of this, the university had not taken adequate steps to protect the students. Additionally, students struggled to navigate the complaints process at the university, and racialized students reported being verbally reprimanded in meetings by faculty for filing misconduct complaints in the first place. That's what happens when we don't give minimum standards.

Consistent standards related to justice is something that everyone in this chamber values. We all do; that's why we're here. It's why we want tribunals in Ontario to succeed at deciding fair resolutions in a timely manner. It's what we expect our judges to look to when delivering justice consistently.

I am so happy to see a bill that moves our post-secondary institutions forward, toward a fairer and better policy. But I believe that incorporating minimum standards would actually help get us to that finish line in a better way.

I'd like to now turn to areas of post-secondary education that could also be strengthened to support the outcomes of this bill. Sexual assault centres, both on campus and in the community, need to significantly get higher investments by this government because of the current demands for service that they are dealing with. The demand for support after sexual violence has taken place has skyrocketed in the wake of the #MeToo environment. It's, after all, their fifth anniversary. It's happening right now.

Some 81% of sexual assault centres in Ontario saw an increase in demand for services during the COVID pandemic, and the wait-list to access those services reached record highs. There's more people now lined up on wait-lists to get on wait-lists to get the service. We also know that 71% of post-secondary students have either witnessed or been subjected to sexual violence, and that 41% of all police-reported incidents of sexual violence were actually reported by students.

Survivors need support. They need to find the support so that they can heal and they can thrive. Community sexual violence centres need adequate, consistent funding to provide the support. Campus sexual violence centres need the same thing. That is something that the bill can also do and address, but currently does not.

Related to this is the strengthening of support for survivors of sexual misconduct more broadly. Many universities have brought in mental health policies, and students have discovered notes from their time accessing therapy on campus at post-secondary institutions have been further lengthened—strengthening sexual assault centres more broadly would add an extra layer of protection and safety for survivors to access those services as they choose, so that they can feel safe when they're accessing it. If you don't put in the investments, the services and supports won't be there, and this bill is not very helpful. By accessing supports from sexual assault centres, only then can we see those numbers on the wait-list go down.

According to the Ontario Coalition of Rape Crisis Centres, the volume of calls for support in 2021 went up significantly, from 21,000 calls to now 30,500 calls. Over that two-year period, their workers are literally run off their feet; they just can't keep up. So what good is this legislation if we don't address the funding shortfalls for support there?

Sexual assault centres are doing their absolute best to manage an exploding demand for their service while they're working overtime to respond to the growing number of requests about needing more education—universities, colleges, workplaces, governments all asking them, inviting them to speak and participate so they can build awareness, but then not funding them to do so. The Ontario Coalition of Rape Crisis Centres reports that the number of audience members through their programming has now doubled in recent years, but they haven't seen a corresponding increase, or doubling, in their funding.

Ontario's sexual assault centres are seeing that huge demand and the long wait-lists, and they recognize that this government is not keeping up. One sexual assault centre told the CBC in May that their wait-list is now at a 30-year high. The Toronto Rape Crisis Centre says that its funding hasn't changed in 15 years. We have one rape crisis centre in the city; our population has almost doubled. They have seen their funding stagnate for 15 years, and yet, at the same time, their demand has gone up significantly by 20% alone over a two-year period.

This government cancelled an increase in funding to sexual assault centres that was promised by the previous Liberal government, and that funding envelope has never kept up with the rate of inflation. Therefore, every year, there's a decrease in their budget and in their funding.

We need to increase funding to Ontario sexual assault and rape centres by at least 30%. This has been a consistent call from the Ontario NDP. It would give them a path of stable funding. It would actually enable them to do the work that you all want them to do, which is provide supports to survivors as well as keep up with the demands for public education. If they don't have stable, adequate funding in place, we are now inflicting further harm and trauma for those who are doing this important work on our behalf in the first place.

Underfunding of post-secondary institutions now leaves them in a weakened state. So not only are we not funding—you are not funding the post-secondary schools, their support centres, their rape crisis centres—you're also not funding the PSIs. Underfunding of the PSIs attacks workers on their collective agreements. Underfunding of post-secondary institutions leaves them extremely vulnerable, and it also allows you to go around their grievance process. Speaker, that does not help us with this bill; the bill does not do that. And we need to think very carefully and read between the lines of what is the intention of this bill.

Second, strengthening public education without consent in this bill could make it better. But, Speaker, I had a private member's bill called the Consent Awareness Week Act, which would essentially make more education and

more awareness on campuses. The Consent Awareness Week Act would have marked the third week of September as Consent Awareness Week in Ontario. Everyone would be talking about it, and we would actually do the work so we can raise awareness. It doesn't have to always be punitive towards the abuser, but we need to be able to make sure that everybody is involved in participating and ending violence.

I'd like to thank almost every single member in this House for supporting it. I asked for unanimous consent; I didn't get it. Hopefully the Minister of Colleges and Universities could perhaps step up and help next time. I would like to see that. But that bill, the consent awareness bill, actually speaks to this bill, this legislation in Bill 26. It actually supports it. So by you not supporting my call for unanimous consent on Consent Awareness Week, you actually are not supporting that portion of this bill, because certainly my private member's bill was supported broadly by students as well as universities, faculty, presidents—everybody was on board. I couldn't get the government fully on board. I'd like to see that change.

I think we can all recognize that by resourcing more of the PSIs, more of the post-secondary institutions, they can do more work in preventing sexual violence, which is where we ultimately want to be. Without education and without raising public awareness, without leaning into those important dialogues that we need to, we're only going to see sexual violence cases go up and, at the same time, underfunding continue to rise, and then we see a diminishing of the environment where we can actually address the problem.

There are so many other factors for us to consider. I want to just be really clear that I cannot support—and none of us should support—rapists and abusers. But I will also recognize that if this bill undermines collective bargaining rights, that is not supportable. If it actually circumvents and moves around arbitration rules, that's also not acceptable. I want to see clarity—because it's not clear right now in the bill—on what it is you are intending to do there. That requires us all working together at committee, listening to some of those nuanced concerns that are being brought forward.

1630

I think that all of us can recognize that this issue dominates everywhere. It's not just at schools; it's in every single workplace. This bill talks about addressing it in the workplace at post-secondary institutions, but I think we can all recognize it can go further.

I want to just speak a little bit about Hockey Canada again because I want to make sure we don't leave this behind. There were so many lessons there, and very painful ones, especially for the hockey players, for the teammates, for the parents, for everyone—even the hockey fans, to be quite honest. Hockey Canada, in ways big and small, projected an outdated view toward sexual violence and as an institution wasn't prepared to address what was before them. Imagine if they had policies in place that actually gave them proper guidance, minimum investigation standards so that they could do their work, and then supports for those survivors afterward.

I hope this legislation can recognize the opportunity that's before us right now. This opportunity means that the complaint investigation process is absolutely vital. To address sexual violence and sexual misconduct, we need to do the heavy lifting to eradicate the stigma and to make it very safe for those who come forward to build a system that actually works. We need the government to take responsibility for creating a system that makes students and workers more vulnerable to sexual abuse and makes it more difficult for them to report it when it happens, when they underfund the institutions that they ask to do this work.

I know there would be some numbers that are tossed out and we cite some investments, but if we actually speak to those post-secondary institutions, those sexual assault centres, they'll tell you that it's not enough. This bill doesn't get them to where they need to go to do the work that you've asked them to do.

We need to more adequately fund universities and colleges in Ontario. We need to stop the exploitive recruitment of international students, because oftentimes they are more vulnerable. They're more susceptible to sexual violence and sexual misconduct because they're in positions of less authority and less power. How is it that we can ask people to come here from abroad to get their education and then expose them to a system that is actually mistreating them? We can't just treat international students as cash cows. Universities and colleges are relying more and more on international students because they pay a heck of a lot more than students from Canada, domestic students. You are creating this environment where you are tipping the scale. You just constantly keep putting your finger on it—but you don't let anyone know you're doing it—by underfunding it.

Universities and colleges want to be fair employers. We want them to be fair employers. They're massive employers to any economy that they are in. I have the privilege of actually having the University of Toronto, Toronto Metropolitan University, George Brown College and a whole host of other institutions that are all in the education sector in my riding. I value all of them. But they also tell me that they're struggling with funding. They're struggling because they're being forced to use temporary contracts for permanent positions. They're struggling because many of their teachers and faculty are struggling to get equal pay for equal work. They are also struggling because the work conditions and fair wages aren't quite there.

In order for us to do a better job of investing in the system—you've got to invest in the system; you just have to. And we have to be partners with them so they feel supported, which I think is important. Education and prevention can get us there, but they need supports to get there.

Speaker, I'd like to see this bill include tools to better educate campus communities about the options and processes for filing a complaint to ensure that the processes are procedurally fair, trauma-informed, survivor-centred and that they reduce harm. The best written policies can go absolutely nowhere if people that they apply to are not

informed on how to leverage them—so the enforcement piece, the investigation piece.

I would like to see the post-secondary institutions be empowered to develop these great policies so that they can actually do what this government wants them to do. Right now, you're telling them to do something, but you're not giving them the extra tools or the guidance in clear, detailed language on how to do it. So they're all going to be guessing, which happens all the time when you pass legislation that's vague and that perhaps could be improved through the committee but you don't listen. Universities are then struggling, or other sectors are struggling because there's a motherhood statement that comes in, it all makes us feel good, but then the details are missing.

This is really important, especially in post-secondary institutions in that context, because graduates are oftentimes both students as well as employees. They do this simultaneously. They have two caps, right? They wear two hats. Without education on how to navigate sexual misconduct and the policies without minimum standards to guarantee that fair and effective due process, there are parts of this bill that have to be reworked and strengthened. That's one significant gap that I hope we can try to close.

Speaker, there are many members of the campus university environment that straddle that line—students who calmly fill instructional roles, such as teaching assistants, lab assistants, as well as instructors and other staff-related jobs. They do this work in IT, they do this work through food services, but they're also students. This means that we need to be able to start understanding the shifting of power as these students, as well as workers, start moving through the different spaces, and to understand that means that we need to lean into the conversation even further.

When we have a student who is in one classroom, then appears in another space as a supervisor over students or a fellow researcher over another set of classmates, all of that is shifting ground. This bill doesn't fully address that, and I think it needs to.

There are many other factors that make post-secondary campuses unlike other workplaces, including that people oftentimes live away from home and their families for the very first time. Many people are getting their first job, oftentimes, in the post-secondary environment, so the stakes are really high for them. The possibility of getting denied or perhaps not getting a proper reference from an instructor or teacher is high. The job opportunities that are available to them can close very quickly if they don't toe along and play along, and access to desirable faculty supervisors—getting the right supervisor that they're looking for if they've been labelled as perhaps someone who's problematic or likes to complain, or perhaps their complaints or concerns are not taken seriously.

The blurring of those lines in the workplace, especially at post-secondary institutions, the places of learning and the residences are all very possible, and it would be unwise for us not to consider that, because I think all of that requires us to just be a lot sharper, to go into the legislation with a bit more surgical precision to flesh out what it is we're looking for.

All of these factors mean that we need a comprehensive approach to what is really needed to address the problem of sexual violence on campus, as well as off-campus, as the member has just noted. We need to make sure that education and awareness and the policies and procedures support the research and the data. The accommodations, the investigations, the adjudications, the data collection and the reporting all intersect with one another, so therefore there are no gaps. We need to ensure that we have preventive measures in place so it's not always punitive.

1640

This bill, I believe, should support survivors, but also those who perpetrate harm. We can't cancel people. I don't support us just sort of striking them out. In order for us to address sexual violence, we need to address that. We need the support of students and faculty, the entire administrative community, but we need the support of men and women, boys and girls.

Every single one of us has a responsibility here to get it right, because the stakes are so high. We can't be sweeping things under the rug or normalizing it as behaviour, because we need to recognize that sexual violence is pervasive. It's oftentimes excused. It can be swept under the rug or perhaps ignored. To get to those solutions means all of us have to be very interested in the outcomes.

I'd like to acknowledge the work of student leaders who I know have been following these issues. There are community advocates around in so many different places, including off-campus, who have been raising this concern. It has to be said that so much of what they've spoken about also requires additional nuance and attention.

I want to bring your attention to an extra component: bystanders. Each and every single one of us witness things every single day. Whether it's on public transit getting here, or perhaps going into an underground garage, getting our vehicle, walking down a corridor, we see people; we interact with them. Our eyes and ears are always listening, always seeing. There are times that we can be the interveners. We can be the bystander interveners when we see sexual misconduct and sexual violence take place.

So how do we ensure that we know what to do? It's through public awareness and education. There are some remarkable organizations that do this work, but they are not funded by this government. They're not funded by much except for charities and perhaps corporate sponsorships. But it's part of the solution that also isn't necessarily addressed in the legislation. If we are to prevent sexual violence—we've heard this before: You see it; you name it. You call it out, or you call it in. I like calling in even better.

The Prevention Innovations Research Center has created a Bringing in the Bystander program, which takes an interactive approach, through role-playing, to help participants understand that they can be the disruptor; that they can help in making sure that violence stops right there and then, when you see it; that you don't have to let it perpetuate; that you can stop it when you hear it.

Oftentimes it's small microaggressions, sexual language that is not desired or is unwanted and uninvited, and

we let it slip and slide. It happens everywhere, including here, and it certainly does happen at universities and colleges. So having a legislative framework that even speaks to public education in a fully fleshed-out and detailed way, so that bystander intervention is delivered in colleges and universities, is critical as well.

When we come together, we oftentimes socialize with alcohol. I don't drink myself, but a lot of my friends do. Alcohol is the number one date-rape-facilitating drug. Alcohol is oftentimes served at universities and colleges in pubs, and it functions as a beverage of choice for many. I don't want to dampen your enjoyment of an alcoholic beverage, but I do want to point out that we need to ensure that those who are serving us those drinks are safe, so that they are not subjected to sexual violence, because oftentimes people who are from the colleges and universities are working in hospitality. How does this bill help them? How does this bill ensure that they're not going to slip through a policy gap?

We know that education is the best way to actually address sexual violence and sexual misconduct, but it can't be a one-off training. I can't necessarily take a course on—I can't do a one-day or even one-hour session on anti-Black racism training and expect to be entirely anti-Black racism in my approach. I've had decades of experience and learning so I can absorb the colonial system and the racist structures that we live in. One hour, one day is not enough. I can't be a Canadian on the path of true reconciliation and say, "I took a one-hour course. Don't worry; I got it." It can't be.

Bystander intervention training must be consistent and ongoing. Each and every single one of us has a role to play. It should be consistent, it should be interactive and, dare I say, it should be kind of fun, because we're best in our learning environment when we can relate to it. So using those real examples is important, and being able to call out and interrupt violence when we see it is also critically important. We can't just pay lip service to institutions around consent. My goodness, we didn't even pass a Consent Awareness Week bill, so we know we can't just pay lip service to it. We've got to really do that work.

We cannot simply leave the work to administrators without the details of the legislation, and we can't leave the work to student groups and unions, who actually have been leading this work. I think it's important that the bill is here before us, because it actually helps us identify the partners that are already on the ground and willing to do it, but the bill doesn't go far enough to say, "Now we're going to do it with you by investing in the institution that you work for, by investing in the systems and policies that you have designed, but let's take it further and refine it, and let's give you stable core funding that's not precarious and that's marked to the rate of inflation, so that you don't have to struggle with that financial piece, so you can focus on your core work."

There are public reports that give this government a road map to strengthening this legislation. The Canadian Federation of Students, the Ontario Undergraduate Student Alliance and the College Student Alliance have

put forward a comprehensive plan called Our Campus, Our Safety. They've been doing this work for years, and I think it's important for us to recognize that they knew that the stakes were high—not in those exact words, but they knew that the stakes were high—because their students and faculties were at risk. They knew that the stakes were high largely because if post-secondary institutions that actually create the next generation of workforce for us were losing top talent because they had experienced sexual violence or sexual misconduct on campus and they couldn't finish their diplomas and university degrees, we've actually lost something.

Canada's competitiveness, Ontario's competitiveness—regional as well as global competitiveness—diminishes if we don't invest in our next generation. We have to create that safe environment for everyone. We have to provide comprehensive and concrete recommendations for all the provincial and territorial governments, and Ontario can be a leader.

I actually really liked what the minister had to say about being a leader. I liked that. But if we are to be that leader, we have to lead, and leading means that we have to be first of class, the very best at everything we do, which means that we invest in our schools, invest in post-secondary education; that we put forward legislation that is thoroughly thought out with all the details, so we don't leave anything to the imagination, and then we have a reporting mechanism that then marks progress every step of the way.

Some of those tools are in place, as the minister already noted, because colleges and universities have to post their reports and they have to update their policies annually, which is great. But then let's give them further guidance, so that they can actually do it in lockstep with us, because I know, in my experience as someone who actually has colleges and universities in my riding, that reviewing policies is always a stressful, stressful exercise for every university and college. They're like, "We have to get this done. We know we have to report," but then there's so much that's left to interpretation. Let's not leave that to them as their work alone. Let's make sure that we do that work with them so that we can also just recognize where they are and understand, and make them understand, and help them understand that we are partners with them.

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There are so many factors that make the post-secondary campus unlike any other workplace. And some of those factors include people living away from home, which I mentioned. It also includes all of us being able to participate in ways that are big and small. Universities and colleges are major contributors to employment centres, especially in communities like Toronto Centre where the stakes are high. I know that if a reputation of a university is at risk—it's not just the University of Toronto; it's Toronto's reputation at risk. You heard about the University of Windsor mishandling a particular case. That is the city of Windsor's reputation that is then at risk.

As I get ready to conclude my remarks, Speaker, I want to recognize that the bill has some really important things,

and I want to be able to support that. I also want to be crystal clear that the bill can go further. I want to be able to support that.

I want to be able to identify and work with the minister and everyone in this House to make sure this very important piece of legislation gets to where it should go. My suggestions around making the bill more responsive, more detailed around the guidelines, the investigation and the complaint process are only going to make the bill stronger. We can follow the leadership of other provinces like PEI, as I mentioned, around the NDAs.

Let's extend it beyond post-secondary institutions, because this bill doesn't get us to where we needed to go with Hockey Canada. It still would take place, even if this bill passed, because it's not covered here.

I have called upon the government for the need for adequate funding because that's going to be absolutely critical to ensuring supports are there for survivors, but also for raising awareness. And Consent Awareness Week, which is my private member's bill—it actually is a big contributor to this bill.

So I'm hoping that we can actually continue to work together. Let's look to those government leaders, as well as student leaders everywhere, so we can improve this legislation for the benefit of all Ontarians.

The Acting Speaker (Ms. Patrice Barnes): Questions?

Hon. Jill Dunlop: Thank you to the member for your speech today. I listened to the comments that you made. We obviously both agree that sexual violence on- or off-campus across Ontario is wrong, and we need to do more to strengthen that.

I guess my question to you is, do you plan on supporting this bill? I know you have a bill that's been tabled for Consent Awareness Week for the one week of the year, but this bill will be 365 days a year every day moving forward to ensure that students are protected on- and off-campus.

MPP Kristyn Wong-Tam: Thank you, Minister, for the question. Through the Speaker, as I mentioned, there are many significant pieces to this bill. Much of it is supportable. I'd like to see the bill strengthened, and I hope that I'm clear that I'd like to work with you, Minister, and every member of the government to make sure that this important piece of legislation, which is going to slip through our hands very shortly, gets strengthened through the committee process.

Consent Awareness Week, although one week, is still one more week than exists in this bill. And by creating a designated time in the calendar, where the majority of the sexual assaults take place on campuses at post-secondary institutions, it's just a reminder to the university, as they begin their school year, that this issue is important. We can make Consent Awareness Week every single week of the year, but it just was highlighting one week.

The Acting Speaker (Ms. Patrice Barnes): Question?

Ms. Jennifer K. French: I'm glad to be able to appreciate the hour-long speech that the member from Toronto

Centre just eloquently and thoughtfully gave to this House on this bill.

As we're talking about student experience in post-secondary education and sexual abuse and sexual assault, there are things that are missing from that landscape in terms of supporting sexual assault survivors. We watched this government unfortunately defund many of the programs through that opt-out mechanism. We do want to see investments; we do want to see attention paid. But a piece that you raised in your speech was about prevention, and there isn't anything preventative in this bill, which I think is a missed opportunity, so perhaps at committee you could make the case.

But today, could you please get a little bit more into how your bill on consent week would make this bill stronger and why we need to prevent sexual assault on campuses in the first place?

MPP Kristyn Wong-Tam: Thank you very much to the member for the question. I see the consent awareness bill as complementary to this bill, to be quite honest. I think that the two of them can work hand in hand. Should the minister want to adopt the bill as an amendment, I would certainly welcome that. After all, what's important to me is that the work gets done.

With respect to the question around the supports and prevention, we all know that by preventing crime, it's going to save us money in the long run. By preventing sexual misconduct and sexual assault on campuses, it's going to reduce costs to policing, to the hospitals; it's going to reduce aggravations to the university; it's going to protect universities, as well as their employees, as well as the students. That's why public awareness and public education is so critically important.

The Acting Speaker (Ms. Patrice Barnes): Member from Newmarket–Aurora.

M^{me} Dawn Gallagher Murphy: I agree with the member from Toronto Centre. I appreciate your comments: a lot of positivity there with regard to this bill.

We know that Bill 26, of course, deals with matters of sexual violence. But it also deals with Ryerson University and the formal ability to change their name, which I know the member spoke very well about; it's included in that speech.

Given that the members from all parties have been calling for this, I can only imagine that Bill 26 will receive unanimous support. So, Speaker, I would like to ask the member to inform us on how they plan to vote for Bill 26.

MPP Kristyn Wong-Tam: Thank you very much for the question. Perhaps I wasn't clear enough, so I'll try to be more clear. There are many extraordinary pieces to this bill that are very much supportable, including the piece around Ryerson University's renaming to Toronto Metropolitan University. I've been an active supporter of that university for my 12 years as their councillor, and I have been very much in touch with the president as well as members of the board of governors to make sure that this process comes through. I would have been happy to sponsor such a bill myself, but, obviously, coming from the government means that it's fast-tracked. But the bill

contained all together has a couple of components that I'm hoping that we can work on. So therefore, absolutely yes to TMU's renaming, but hopefully we can still work on the bill to make sure we close some of those policy gaps that I just identified.

The Acting Speaker (Ms. Patrice Barnes): Question?

Mr. Sol Mamakwa: Meegwetch, thank you to the member from Toronto Centre for your presentation. I listened intently with respect to Bill 26. I'm going to focus on schedule 3. You spoke about reconciliation. You spoke about dialogue. You spoke about having a debate and all, but also exchanging ideas. And I know a name change is only a small step towards reconciliation, but I think—I know this is a small step within the bill itself. When we talk about decolonization of the systems that are there, such as universities, what more could the government do to decolonize the system?

MPP Kristyn Wong-Tam: Thank you very much for the question. It's actually such an important question, not just for the university community, which I belong to, but also for all of us in the city of Toronto. We're all endeavouring this conversation of reconciliation. I think one of the reasons why I highlighted the Standing Strong Task Force was that they did this incredible job of listening. Part of the reconciliation process, I believe, is about centring the individuals who were harmed, the communities who lost so much, the nations who have been asking for government to government relations, so therefore we actually lean into and listen to what they want and we amplify their voice. We don't take over what they're looking for; we actually make sure that they're part of the group that we're centring.

1700

TMU actually did all of that and so much more because they were listening. We wouldn't have gotten this outcome without them actively doing so—and there's much more to come.

The Acting Speaker (Ms. Patrice Barnes): The member from Eglinton–Lawrence.

Mrs. Robin Martin: Thank you to the member opposite. I was listening to your speech, and many times you talked about how much you cared about this issue and how important this issue is. I know that sometimes the patterns of responsive opposition members in this Legislature are what's not in the bill. They talk about what's not in this bill: "It's not perfect, this bill. We could add things to it"—which is great, but I still didn't hear an answer to the question that you've been asked twice already about whether you're going to support this bill.

I understand it's something you care about, and it is a big step forward. So can you just confirm that you're going to support this bill, as I expect your colleagues will, because this is an issue of great concern, which many have opined on already?

MPP Kristyn Wong-Tam: Thank you to the member across for the question. I have actually stated my support for this bill and the many components of this bill. I'm not sure why it's so unclear. In addition to that, I said that it could be improved. I think we can all agree on that.

Is the bill supportable? Many, many components of it are. Can it be improved? Absolutely. The piece around TMU is non-debatable for me. We already did that hard work, so it's there before you. But the rest of the sections, schedules 1 and 2, I think there's room for improvement, and that's what I'm looking for.

The Acting Speaker (Ms. Patrice Barnes): Further debate?

Ms. Goldie Ghamari: Today, I rise in support of Bill 26, the government's proposed Strengthening Post-secondary Institutions and Students Act, 2022. Our government is committed to ensuring students have access to a secure and safe learning environment. That's why the government is introducing legislation that would further protect students by providing measures for post-secondary institutions to address faculty and staff sexual misconduct towards students on campus. We've taken recent steps to strengthen supports for post-secondary students reporting sexual violence or harassment.

We must also specifically address sexual misconduct by faculty and staff towards students. That's why we're proposing legislative amendments that would require publicly assisted post-secondary institutions and private career colleges to have specific processes in place that address and increase transparency of faculty and staff sexual misconduct.

If passed, these changes would better protect students who experience faculty and staff sexual violence by strengthening tools available to institutions in order to address instances of faculty or staff sexual misconduct against students; for example, deeming sexual abuse of a student to be just cause for dismissal; preventing the use of non-disclosure agreements to address instances where an employee leaves an institution to be employed at another institution and their prior wrongdoing remains a secret; and requiring institutions to have codes of conduct regarding faculty and staff sexual misconduct.

These changes will not only help protect students in cases of faculty and staff sexual misconduct, but also allow the institutions to better address complaints when they arise. The changes also build on the new regulatory amendments the Ontario government introduced last fall to protect students from inappropriate questioning or disciplinary action when they report acts of sexual violence.

Madam Speaker, when it comes to addressing this issue, it has to be an all-hands-on-deck approach. That's why, last summer, the Ministry of Colleges and Universities held consultations province-wide, speaking to over 100 stakeholders, including representatives from post-secondary institutions, labour and student groups, private career colleges, faculty associations and community organizations. I'm pleased, Madam Speaker, that all of these new changes took into consideration the solutions proposed by those affected the most.

Post-secondary education is the starting point in everyone's journey to a career. The amendments put forward in this bill are critical to student success, and having a safe and inclusive work environment means every student can succeed. While plenty of Ontarians are

enrolled in universities, colleges and other private institutions, there are various groups who, for various reasons, are under-represented in these institutions. This is a gap that the government is working hard to fill in.

A family household income is a strong indicator for attending post-secondary institutions. We know that low-income students have a 30% to 50% high school dropout rate, and they are less likely to enter post-secondary education. That's compared to high-income students, who are two to three times more likely to attend university. The dropout rate is even higher for youth under the crown ward.

Moreover, when it comes to previous generations in a family, only 56% of first-generation individuals have a post-secondary credential, while that number jumps to 89% for those whose parents both have a degree, diploma or some other credential. That is truly significant.

While all of this and other inequities may be disparaging, I know that our government is working hard to better support the inclusion, access and success of more students at Ontario's post-secondary institutions. I know this, Madam Speaker, because my younger sister, Rose Ghamari, works at Ryerson University. In fact, she is part of the engineering program and she is actually responsible—my apologies, Madam Speaker; oh, my gosh. You know, my sister is watching me right now and she's probably screaming at the TV screen, because she used to work in the engineering department at Ryerson. She used to be a manager for student services and student relations at Ryerson University, and she was in that role for several years, actually. She did so well in that role that this past summer she actually got hired at another department in Ryerson University—actually, I should call it Toronto Metropolitan University; my apologies for that. She got hired at—I think it's called DEX, which is basically a branch at Toronto Metropolitan University that basically supports innovation in the tech sector. I know she's watching this: Rose, my apologies. But I did correct it on the record. But the point, Madam Speaker, is that my sister was involved in student services and student relations and student retention in engineering, and one of the biggest challenges is making sure that people who historically have not gone to university are able to do so.

I, myself, as a first-generation Canadian immigrant—and I'm technically first generation because I was born in Iran, but my parents immigrated here when I was a year old, so I am a naturalized citizen. I got my citizenship when I was four years old, in 1989, and all I remember about my citizenship ceremony is running around the room and then the citizenship judge held my hand and gave me a candy. That's all I really remember about the time I became a citizen.

So while I am technically a first-generation Canadian, I still view myself as a second-generation Canadian because it's really my parents who are the first-generation Canadians.

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My father did have an opportunity to get a university degree at Texas Southern University in Houston. My

mother, however, was a teenager when the 1979 Islamic revolution happened in Iran. At that point universities were shut down, so she was never able to get that post-secondary education that she really, really wanted. When my parents came to Canada, for me to be able to have that opportunity to get a post-secondary education, and not just that but to become the first person to go to law school and become a lawyer in the family—and moreover the first person to become a politician, the first person in the family to become an elected official—I think this speaks to the power and the impact of having a university education, or a post-secondary education, colleges as well. Having an opportunity to have that post-secondary education can open doors for you. I am one example of that. My sister is one example of that.

Madam Speaker, there are so many members here on both sides of the room who are either first- or second-generation immigrants. Having that post-secondary education and opportunity has really opened doors for so many of us, not just here in the House but all across Ontario.

And so, Madam Speaker, in March 2021, the Ministry of Colleges and Universities engaged with the Premier's Council on Equality of Opportunity to coordinate consultations with different under-represented groups in the post-secondary sector. We heard directly from individuals regarding the barriers they experienced accessing higher education and any challenges they had once they got there.

I'm proud that this government has many programs in place that are making a difference in reducing barriers and inequities. For example, we have provided nearly \$10 million annually to Pathways to Education, a not-for-profit organization that provides academic, financial, social and one-on-one supports to youth in certain low-income communities in Ontario. This helps young high school graduates to successfully transition to post-secondary education. To this date, Madam Speaker, this program has helped more than 3,000 students.

Our government also provides more than \$11 million annually to support Ontario post-secondary access and inclusion programs. This funding helps institutions to provide outreach, transition and retention support to students who would not otherwise access post-secondary education. Ultimately, it's designed to help students see the value of education and be able to see themselves in post-secondary education.

And finally, Madam Speaker, we have a program called Ontario education championship teams. It can be challenging and overwhelming for a first-generation post-secondary student to pursue higher education. This is often the case for youth in crown ward. Teams help remove informational and administrative barriers for these students so they can transition to post-secondary education and access training and employment. They're made up of children's aid societies, school boards, post-secondary education institutions and employment services. Teams support around 6,000 students a year—I just want to point out that this is 6,000 students who thought, just like their family, they would never end up in post-secondary education, and yet they are.

Madame la Présidente, le gouvernement de l'Ontario a déposé aujourd'hui le projet de loi intitulé Loi de 2022 sur le renforcement des établissements postsecondaires et les étudiants, qui, s'il est adopté, protégera davantage les étudiantes et les étudiants en proposant des mesures aux établissements postsecondaires pour lutter contre l'inconduite sexuelle du corps professoral et du personnel à l'égard des étudiantes et des étudiants sur les campus.

« Tous les étudiants et toutes les étudiantes méritent d'apprendre dans un environnement sûr et coopératif » a déclaré la ministre des Collèges et Universités. « Depuis le premier jour, nous avons été clairs : ce gouvernement a une tolérance zéro pour les agressions sexuelles, le harcèlement ou toute autre forme de violence ou d'inconduite. C'est la raison pour laquelle nous agissons afin de mieux protéger les étudiantes et les étudiants contre la violence et l'inconduite sexuelles sur les campus et à l'extérieur. »

Le projet de loi modifiera la Loi sur le ministère de la Formation et des Collèges et Universités et la Loi de 2005 sur les collèges privés d'enseignement professionnel afin d'aider les établissements à mieux protéger les étudiantes et les étudiants de l'inconduite sexuelle du corps professoral et du personnel. Il permettra également aux établissements de mieux résoudre les plaintes lorsqu'elles sont déposées.

Les modifications permettront en particulier :

—de renforcer les outils à la disposition des établissements pour traiter les cas d'inconduite sexuelle du corps professoral ou du personnel à l'égard des étudiantes et des étudiants; c'est-à-dire considérer l'agression sexuelle d'un étudiant ou d'une étudiante comme un motif valable de licenciement, et empêcher la réembauche d'employés reconnus coupables d'agression sexuelle à l'égard d'un étudiant ou d'une étudiante;

—d'empêcher le recours à des ententes de non-divulgaration dans les cas où un employé quitte un établissement pour être employé dans un autre établissement et que ses actes répréhensibles antérieurs restent secrets; et

—d'exiger des établissements qu'ils adoptent des politiques sur l'inconduite sexuelle des employés, qui proposent des règles de comportement entre le corps professoral, le personnel et les étudiantes et étudiants, de même que des mesures disciplinaires à l'intention du corps professoral et du personnel qui enfreignent ces règles.

Ces changements reposent sur les nouvelles modifications réglementaires que le gouvernement de l'Ontario a introduites à l'automne dernier pour protéger des étudiantes et des étudiants contre toute interrogation ou mesure disciplinaire inappropriée lorsqu'ils signalent des actes de violence sexuelle.

Le projet de loi propose également des modifications pour changer le nom de la Ryerson University/Université Ryerson en Toronto Metropolitan University/Université métropolitaine de Toronto, et pour modifier la composition et augmenter la taille de son sénat.

Le changement de nom proposé transformant la Ryerson University/Université Ryerson en Toronto

Metropolitan University/Université métropolitaine de Toronto tient compte des efforts déployés par notre gouvernement pour s'assurer que l'Ontario dispose d'un système postsecondaire qui embrasse la diversité et l'inclusivité, et favorise la réussite de tous les apprenants—y compris les apprenants autochtones—afin qu'ils puissent trouver des carrières enrichissantes.

Madam Speaker, I see I only have a few moments left, so I just want to talk about something that is very important to me personally, and that's Indigenous supports in post-secondary education. In 2019 and 2020, over 20,000 self-identified Indigenous learners accessed post-secondary education, an increase of almost 20% since 2013 and 2014. Some 41% of Ontario's Indigenous population is under the age of 25, compared to 25% of the non-Indigenous population. And 53% of Indigenous people aged 25 to 64 hold a post-secondary credential, compared to 65% of the non-Indigenous population aged 25 to 64.

That's why I'm proud to be part of a government that supports a post-secondary system that is accessible, respectful and inclusive for all students, including Indigenous learners and educators. That's why we continue to work with colleges, universities, Indigenous institutes and Indigenous partners to create the conditions that make it easier for everyone to access a high-quality education and work to overcome the unique challenges facing our students.

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We also drive support for programs and initiatives in post-secondary education that will promote access and success for Indigenous learners, and work with partners to ensure that Indigenous learners and communities have access to appropriate supports within the high-calibre education and training offered in Ontario. We also want to build and encourage a post-secondary system that embraces accessibility, inclusivity and promotes success for all learners, so they can develop the skills they need to obtain rewarding careers.

Madam Speaker, this is just the starting point; this is not the finishing line. We have so much more work to do to fill in the gap. I believe that all Ontarians have the potential to achieve great things, and post-secondary education is a key to that achievement. But we have to do the work here, in this chamber, to set up our students for success. We have to do the work here to provide all Ontario students with the safe, encouraging and respectful environment that they deserve, where they can focus on achieving success.

As the Minister of Colleges and Universities said, our government is ready to take bold, decisive action in order to do what's best for Ontarians. I know that these changes are the best way to help those who need it most. That is why I am proud to rise today to speak to this bill on behalf of the people of Carleton and show my support for this bill.

I hope that members from both sides of the House will vote for this bill and will support this bill.

The Acting Speaker (Ms. Patrice Barnes): Question?

M^{me} France Gélinas: C'était intéressant d'écouter la membre de Carleton nous parler de ce projet de loi.

J'aimerais savoir comment elle peut réconcilier le fait que, lors de leur premier mandat, une des premières choses que le gouvernement a faites, c'était d'enlever le financement des programmes d'appui aux étudiants et étudiantes, comme les programmes d'appui qui existaient pour les survivants de la violence sexuelle et les programmes d'appui qui existaient pour les étudiants autochtones. Comment fait-on pour réconcilier les actions de ce gouvernement avec les désirs qu'ils mettent dans le projet de loi?

Ms. Goldie Ghamari: I'd like to thank the member for her question.

Je suis allée à l'école d'immersion, alors je peux comprendre vraiment bien. Mais mes parents ne peuvent pas parler français. Ils ne peuvent pas comprendre le français, mais ils ont connu l'importance d'apprendre le français et de parler le français. Alors, je comprends votre question, mais, désolée, je vais répondre en anglais parce que c'est plus confortable pour moi.

But I want to thank you for asking that question in French. It gives me an opportunity to answer to it.

You know, Madam Speaker, the NDP has called for updates to sexual violence education and protection for young people for years, and that includes youth in the Indigenous community. Ultimately, choosing not to support Bill 26 would mean that they value unions over supporting Indigenous youth. So I really, really hope that the NDP will join us and support us in voting for this bill, because this bill speaks to youth. This bill is putting people first. This bill is putting young students first. I hope that they will support this bill.

The Acting Speaker (Ms. Patrice Barnes): Question?

Mr. Lorne Coe: I think most of the members of the Legislature know how important consultation with stakeholders is in the development of the type of legislation that we've been debating this afternoon.

My question for the member for Carleton is if she could expand on the level of consultation that it took to bring forward Bill 26 and some of the stakeholder communities that we engaged, and the effect on this legislation as it moves forward through the next few weeks, including standing committee?

Ms. Goldie Ghamari: Thank you to the member for the question. We've actually received a number of supportive statements from stakeholders on this legislation, and I'm happy to read a few of them.

Lynn Wells, the interim president and vice-president of Brock University and chair of the COU sexual violence reference group, has said that "Brock is committed to creating a safe work and learning environment for all members of our community, as is emphasized in our institutional strategic priority to foster a culture of inclusivity, accessibility, reconciliation and decolonization."

Sexual violence has no place on a university campus and the measures introduced today add to the institutional tool box to deal with incidents of sexual violence swiftly and effectively.

The Acting Speaker (Ms. Patrice Barnes): Question?

Ms. Peggy Sattler: I'm sure the member watched the news unfold in London during orientation week at

Western last year when there were reports of widespread incidents of sexual violence on campus, with as many as 30 young women drugged and sexually assaulted. We know that orientation week, the beginning of September, when first-year students are beginning their post-secondary studies, is a time of tremendous risk for students, and female students in particular. I'm very proud of the work of my colleague the member for Toronto Centre and others in my caucus who brought forward legislation called the Consent Awareness Week Act to recognize the heightened risk that students face during orientation activities on post-secondary campuses.

I'm curious to know why the government didn't lift that legislation that was available to them and include a focus on educating about consent on post-secondary campuses as part of this bill.

Ms. Goldie Ghamari: I'd like to thank the member for the question. You know, Madam Speaker, it's very easy to stand up in the Legislature and to announce that you want to pass an awareness week or a day for something or whatever. A lot of that is political theatre and I think we saw that today in question period. But what we are doing as a government is actually taking solid, concrete steps to address these issues. Because the reality is, I might be here speaking in the chamber today, but those university students are studying. They're in their classrooms. They're working. They're living their lives. They're not listening to this. But what I can do as a legislator here in the chamber is I can support legislation that strengthens the tools that those students need to succeed.

That's why, Madam Speaker, I hope that members of the opposition will vote for this bill, because there is a reason that I'm standing on this side of the House and speaking. There is a reason that we have an overwhelming majority of Progressive Conservatives in this House, because we have taken concrete steps in the last four years—

The Acting Speaker (Ms. Patrice Barnes): Thank you.

The member from Brampton West.

Mr. Amarjot Sandhu: Thank you to the member from Carleton for her remarks. Madam Speaker, our government is committed to ensuring that our students have a secure and safe learning environment, and our Minister of Colleges and Universities is working hard to ensure that we can stand on our post-secondary education system and also provide students with a high-quality education. This government has a proven history of creating policies that continually build on previous pieces of legislation, and Bill 26 is no different, as it builds on the regulations that the minister put into place earlier this year.

My question to the member is, can you please outline how this legislation will build on previous regulations passed by our government to better support students in post-secondary education?

Ms. Goldie Ghamari: Thank you very much to the member for the question.

The Ministry of Colleges and Universities is proposing legislative amendments to the Ministry of Training,

Colleges and Universities Act, and the Private Career Colleges Act, 2005, that would enhance institutional sexual violence policies at publicly assisted colleges and universities and private career colleges, particularly with respect to faculty and staff sexual misconduct towards students.

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We're going to do this by strengthening tools available to institutions in order to address instances of faculty or staff sexual misconduct against students. We're going to prevent the use of non-disclosure agreements to address instances where an employee leaves an institution to be employed at another institution and their prior wrongdoings remain a secret. Finally, we're going to require institutions to have codes of conduct regarding faculty and staff sexual misconduct.

These are the concrete steps that we are taking as a government, and that's why I'm proud to support this legislation.

The Acting Speaker (Ms. Patrice Barnes): The member from Manitoulin-Algoma.

Mr. Michael Mantha: Yes, just reverse that: Algoma—Manitoulin.

Merci beaucoup, madame la Présidente. Je veux retourner à la question que la membre de London-Ouest a posée. J'ai écouté les commentaires qu'a offerts la membre de Carleton. On va sortir le théâtre, on va ôter les perspectives; je veux simplement poser une question directe et relativement simple.

Une Semaine de sensibilisation au consentement, comme présentée par le membre de Toronto-Centre et autres membres de notre caucus—si on ôte toutes les perspectives, on ôte le théâtre—est-ce que tu vois un positif, en effet, d'apporter un tel projet de loi pour ouvrir la discussion? Parce qu'il me semble qu'une discussion sur la sensibilisation au consentement, c'est un pas dans la bonne direction. So, mets le théâtre de côté, mets les partis de côté: ne serait-ce pas une bonne idée? Comme tu as mentionné dans les tiens, tes commentaires, ce n'est pas le commencement, c'est la continuation d'adresser les problèmes.

Ms. Goldie Ghamari: Thank you very much to the member for the question. Let's look at the voting record on these sorts of issues. Bill 132, back in 2016, was the Sexual Violence and Harassment Action Plan Act, and it was voted in with all-party support. And then in 2017, there was Bill 157, Domestic—

The Acting Speaker (Ms. Patrice Barnes): Thank you.

Further debate?

Ms. Chandra Pasma: I'm pleased to have the opportunity to speak today to Bill 26, the Strengthening Post-secondary Institutions and Students Act. This bill touches on subjects that are very important to me, having spent the last few years working with CUPE post-secondary members across the country to advocate for stronger policies and better practices on sexual violence and harassment on campus.

I do want to acknowledge, before getting into that aspect of the bill, that Bill 26 also makes official the name

change of Toronto Metropolitan University. We cannot erase or deny our past, Speaker, but we can choose which people and which actions to honour and celebrate. We should not celebrate the architects of genocide. There is much more work to be done to decolonize our post-secondary institutions and make them welcoming places to all Indigenous students, faculty and employees. But this name change is a meaningful step on the path towards reconciliation.

The rest of the bill deals with the issue of sexual violence at post-secondary institutions. This is a very timely topic, as incidents of sexual violence, sexual harassment and sexual assault remain prevalent on post-secondary campuses, and students and workers are demanding action.

In 2019, 71% of Canadian post-secondary students experienced or witnessed unwanted sexualized behaviours, according to Statistics Canada, and 45% of women and 32% of men had personally experienced such behaviours. One in 10 women students reported that they had experienced sexual assault during the previous year, either on campus or at an event where the majority of the attendees were students. While sexual violence can touch any student, we do need to recognize that some students are more likely to experience sexual violence, including students who are living with disabilities, students who identify as 2SLGBTQIA, and Indigenous, Black and racialized students.

Unsurprisingly, students who had experienced unwanted sexual behaviours reported that it affected their mental health, their academic performance and, for a significant proportion, changed the way they moved around on campus or the decisions they made about where to go and how.

Many students who had been sexually assaulted also had symptoms that are consistent with PTSD. However, despite those serious and long-lasting effects of experiencing sexual violence, most students did not report it to the post-secondary institution or to anyone affiliated with the school. Fewer than one in 10 actually told someone at the institution, with many saying they did not know they could report it or that they doubted the institution would take it seriously and do anything about it.

However, Speaker, it's important to acknowledge that students are not the only ones to experience sexual violence on university and college campuses. Faculty, staff, contractors and third-party employees, alumni and visitors may also experience unwanted sexual behaviour. Unfortunately, we do not have great data on the experience of these members of the campus community, largely because we have not asked.

However, we know from general surveys on sexual violence and harassment that many Canadians experience sexual violence in the workplace. An Angus Reid survey in 2018 found that 52% of women have experienced sexual harassment in their workplace and 89% of women have taken steps to avoid unwanted sexual advances at work.

Finally, I want to draw attention to the fact that there are not always clear lines to be drawn between workers

and students on campus, Speaker. Many members of the campus community straddle this line, with students commonly filling instructional roles such as teaching assistants, lab assistants or instructors as well as staff roles such as in food services or IT. On some campuses as many as one third of the workers are also students.

There are also many factors that make the post-secondary campus unlike any other workplace, including many people living away from home and family for the first time; many people working their first job; high stakes, including the possibility of getting or being denied crucial references, job opportunities and access to desirable faculty supervisors; the blurring of lines between workplace, place of learning and residence; and widespread alcohol use. All of these factors mean that a comprehensive approach is needed to address the problem of sexual violence on campus, one that encompasses education and awareness, policies and procedures, supports and accommodations, investigations and adjudications, data collection and reporting, and preventative measures. We also need to be looking at systemic factors that contribute to a culture in which sexual violence is pervasive, excused, swept under the rug or ignored.

The requirement for all post-secondary institutions to have a specific sexual violence policy was a good measure in this regard, one that was rightly supported by all parties in this Legislature, but that was also only a first step. We still need to do much more.

Bill 26 proposes some new measures to address this issue, Speaker. Specifically, it amends the Ministry of Training, Colleges and Universities Act to define sexual abuse as physical sexual relations with a student, touching of a sexual nature or behaviour or remarks of a sexual nature toward a student by an employee where the act constitutes a criminal offence, the act infringes on the right of a student under the Human Rights Code to be free from sexual advances, or the action contravenes the institution's policy or employee handbook.

Bill 26 also protects students against reprisal or threats of reprisal for the rejection of a sexual advance. Bill 26 lays out new provisions for discharging or disciplining employees for sexual abuse, including that the employee is not entitled to notice of termination, termination pay or any other compensation, as well as a ban on re-employing an employee who was terminated or resigned due to sexual abuse of a student.

Bill 26 bans any agreement, both for the student and the institution, that prevents disclosure of the fact that a court arbitrator or other adjudicator has found that an employee has committed an act of sexual abuse and renders any such existing agreement void.

Finally, Bill 26 requires that every post-secondary institution have an employee sexual misconduct policy.

There are some important changes here, Speaker. We have seen how the egregious use of non-disclosure agreements has created a culture of silence that has protected perpetrators while making it difficult for survivors to come forward. Non-disclosure agreements mean that the students are not aware that others have come forward,

which makes it harder for them to come forward and share their story.

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Non-disclosure agreements have also protected perpetrators, allowing them to seek new employment at another institution, where they may continue to prey on students. In one case, a non-disclosure agreement by the University of Windsor allowed the perpetrator, who was terminated by the university but given a positive reference letter, to successfully sue another Windsor prof for disclosing his termination to his new employers.

One of the challenges created by NDAs is that there is, of course, no way of knowing how many of them there are, how frequently they are used and how many times they have allowed a perpetrator to reoffend. This ban on NDAs is an important measure that will ensure perpetrators can no longer hide behind a curtain of silence or be moved from community to community. In fact, this is a measure that should be implemented more broadly than just in the post-secondary sector. We have also seen recently the damage that can be done by NDAs in the hockey world, for instance. No perpetrator should be allowed to target new victims because of officially sanctioned silence.

The requirement for institutions to have an employee sexual misconduct policy is also a welcome measure. Defining clear expectations and boundaries, with examples, makes it easier for students and workers to come forward when there is abusive behaviour, knowing that the behaviour will be recognized as harmful and inappropriate. As *Courage to Act* notes, clear statements of expectations serve an educational role, letting both students and workers know what behaviours are not allowed and will not be tolerated; assist in setting clear boundaries; aid in reporting violations and accessing supports; and commit the institution to follow through when a report is made.

These employee sexual misconduct policies are also an opportunity for the employer to think through the various categories of employees, including student workers such as teaching assistants and graduate student instructors, and the differing rights and powers of workers, such as precarious workers, who don't need to be terminated, but can simply not have their contract renewed. What happens, for instance, if the instructor is also a classmate in another setting?

Bill 26 does not explicitly require post-secondary institutions to take these different categories of workers into account in creating these policies, which I think is a lost opportunity. But I hope that consultation at the committee stage with students, unions and other stakeholders might contribute to enriching the government's understanding of what these policies should encompass.

Given the intersecting nature of roles within the post-secondary sector, I also hope the government will take time to consult with stakeholders on the provisions regarding termination of employees. What do these provisions mean when the employee is also a student?

While Bill 26 contains some positive measures, Bill 26 also stands out as a missed opportunity to fully grapple

with the challenges of sexual violence and harassment on campus. There are so many more steps that the government could and should be taking to ensure a comprehensive, trauma-informed approach.

It's not like we even have to search out solutions. Student groups, including the Canadian Federation of Students, the Ontario Undergraduate Student Alliance and the College Student Alliance have put forward a comprehensive plan, *Our Campus, Our Safety*, that offers comprehensive and concrete recommendations for provincial and territorial governments that this government could have adopted.

Post-secondary education unions like CUPE are also advocating for measures that the government could have adopted. Organizations like *Possibility Seeds*—which coordinates *Courage to Act*—YWCA, gender-based violence organizations and academics have all been putting forth recommendations to post-secondary institutions and governments on what needs to happen.

What we need is for the government to work with these stakeholders on a comprehensive, trauma-informed approach at post-secondary institutions. Most importantly, we should be working to prevent and not just respond to sexual violence and harassment. A situation where 71% of students have seen or experienced unwanted sexual behaviours is not acceptable. One in 10 students experiencing sexual assault in a single year is not acceptable. Sexual assault, sexual harassment and rape culture should not be part of a normal student experience.

We need to do better. That starts by underscoring the importance of consent. According to a survey by the Canadian Women's Foundation, only 28% of Canadians fully understand the meaning of consent. When so few people understand what consent means, no wonder we have a widespread problem of non-consensual, unwanted sexual behaviours.

The government has missed a golden opportunity here to support the proposal of my colleague the member Toronto Centre to educate and raise awareness about consent by implementing *Consent Awareness Week* in Ontario. *Consent Awareness Week* would ensure that every third week of September we have conversations across the province about consent, educating students, faculty, staff and members of the public about what consent means and what it involves in practice, with students, institutions, unions and governments all engaging in education and conversations about consent.

We also know that the best education is ongoing and engaging rather than a single training session. Student groups have complained that post-secondary institutions frequently pay lip service to education on consent, leaving most of the work to student groups and unions. *Our Campus, Our Safety* calls for provincial governments to actually include prevention education in their legislative and regulatory frameworks on sexual violence at post-secondary institutions, ensuring that post-secondary administrations are partners with students and unions in doing the important work of educating and training.

The Statistics Canada survey revealed that the majority of instances of unwanted sexual behaviour or sexual

assault actually occurred with witnesses present, but only in about one third of those cases did someone actually try to intervene or offer support to the survivor. Bystander education can be an important tool in teaching students, workers and, indeed, all of us how to safely and effectively intervene when we witness someone being harassed or assaulted.

I've had the opportunity to take bystander training from Right To Be, formerly known as Hollaback!, delivered by Ottawa's own Julie Lalonde, and it was fantastic. It teaches five different approaches to intervention, which can be adapted to other forms of harassment as well. A legislative framework on prevention education could ensure that bystander training was being delivered on all university and college campuses across Ontario.

There are also other factors that need to be addressed that play a role in prevention, including the serious underfunding of universities and colleges in Ontario that has led to a significant increase in the number of international students and the massive reliance of post-secondary institutions on contract faculty, temporary and casual employees, and privatization and outsourcing. All of these factors in turn make members of the campus community more vulnerable to abuse and less likely to report such abuse.

It is not lost on me that Bill 26 also defines publicly assisted universities and colleges. There's a reason we use publicly assisted and not publicly funded in Ontario. Provincial funding sources are now less than a quarter of the total revenue of universities in Ontario and less than one third of the revenue sources of colleges. Ontario's per-student funding is the lowest in the country, and not by a little bit. Our per-student funding is 43% lower than the Canadian average. This is not recent, but the result of a long and declining trend in per-student funding by this Conservative government and the previous Liberal government. The result is some serious financial pressure on Ontario universities and colleges.

One way that they have been filling that gap is to open the taps for the recruitment of international students in large numbers because of the very appealing high international tuition and fees they pay. As MOSAIC notes, international students can be more vulnerable to sexual violence because they are more likely to be isolated and without a social support network, less likely to know the rules and unaware of what their options for reporting are. The strict rules for international students regarding class loads and the vulnerability of having their visas revoked if they don't comply and being expelled from the country may also make them less likely to report incidents of sexual violence.

Universities and colleges have also been responding to financial pressures by making increasing numbers of faculty and staff precarious, and contracting out services. More than half of faculty appointments at Ontario universities are now contract rather than permanent appointments, and more than three quarters of appointments at Ontario colleges. Temporary and casual appointments are also increasingly common in staff positions, from

academic support positions to office workers to cleaners and ground crews. Being temporary makes it extremely difficult for these workers to report sexual violence or harassment. It's easy to get rid of them if they are seen as difficult or problematic. They don't even need to be fired; their contract simply never gets renewed.

Meanwhile, more than half of Canadian universities and colleges have contracted out their custodial services, while more than 80% have contracted out their food services. That means these workers are not even university or college employees even though they work on campus every single day. What's more, the workers who are in these contracted-out positions are more likely to be women, more likely to be racialized immigrants or people living with disabilities, which means they are more likely to experience sexual violence.

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But what happens when the contractor who is their employer wants to keep the post-secondary institution happy to ensure they retain the contract? It's all too easy to sweep these workers away, never to set foot on campus again, ending their contract or moving them to another work site rather than addressing and resolving the problem.

This government needs to take responsibility for creating a system that makes students and workers more vulnerable to sexual abuse and that makes it more difficult for them to report it when it happens. They need to adequately fund universities and colleges in Ontario; stop the exploitative recruitment of international students and ensure that there are measures in place to protect and support them; and require universities and colleges to be fair employers, limiting the use of temporary contracts for permanent positions, requiring equal pay for equal work and attaching fair wage and decent work conditions to public funding to universities and colleges.

Beyond these prevention measures, Speaker, there are other measures that the government should embrace. We have pretty significant gaps in data. One recommendation made by Our Campus, Our Safety is for regular trauma-informed campus sexual violence climate surveys. They could be conducted triennially with results released promptly and used to inform both university policy and responses to sexual violence.

We know that there's a gap in reporting. This is a gap that could be addressed in consultation with student groups, the unions and gender-based violence advocates. Having a sexual violence policy is not good enough if survivors don't know there's a policy or see the policy as weak. The government has lost an opportunity here to mandate post-secondary institutions to work with committees of stakeholders, including paid student representation, to regularly review policies and address challenges and shortcomings in both the policy and its implementation.

One obvious gap in many Ontario post-secondary policies is students participating in work-integrated learning opportunities. This government is a pretty big booster of work-integrated learning. I would argue that

they, therefore, also have an obligation to ensure that students are safe when they participate in it.

And while I'm speaking about consultations with stakeholders, Speaker, another missed opportunity here is the opportunity for the government to create a permanent sounding board by creating a province-wide advisory group with substantial student participation. As the Our Campus, Our Safety report notes, student participation should be paid in order to ensure equal opportunities to participate from under-represented groups, as well as appropriately valuing the time, expertise and contributions of students.

The Acting Speaker (Ms. Patrice Barnes): Questions?

Mr. Lorne Coe: The member from Algoma-Manitoulin once said, "The effects of sexual violence cannot be understated"—indeed. "The official opposition supports legislation and policies that keep people safe and provide effective tools to do so"—yes, indeed.

Well, Speaker, is this still the position of the official opposition? If so, will the member from Ottawa West-Nepean support Bill 26?

Ms. Chandra Pasma: I thank the member for the question.

I know there was quite a lengthy conversation going on, on the government side, and perhaps the member was involved in that conversation and, therefore, could not listen to the 20 minutes of remarks I just delivered on the serious and significant impacts of sexual violence and harassment on students and the many additional measures that we should be supporting as a province to support not only these students but the workers, alumni, contractors and visitors to campuses who are affected by this.

So I urge the government to seize this opportunity to actually embrace a comprehensive policy that would address this issue and ensure that we don't have more people who are suffering the serious and long-term consequences of sexual violence and harassment.

The Acting Speaker (Ms. Patrice Barnes): The member from London West.

Ms. Peggy Sattler: I want to thank the member for Ottawa West-Nepean for her very well-researched and comprehensive presentation on this bill about all of the missed opportunities that this legislation represents.

But this afternoon, Speaker, I met with the president of Western University, Dr. Alan Shepard, along with some other representatives from Western, and they are very proud of the efforts that Western has made following the allegations of sexual violence on campus during orientation week last year. One of the things that they are doing is requiring all first-year students to complete an online module on gender-based and sexual violence as a criteria of admission.

I wondered if the member for Ottawa West-Nepean thinks that that would be a good initiative to spread across the province. And what other things can post-secondary institutions do to protect students from sexual violence on campus?

Ms. Chandra Pasma: Thanks to the member for London West for this excellent question.

I also had the opportunity to meet with Dr. Shepard and the representatives from Western this afternoon, and we were having a conversation about sexual violence and the need for training. I was pleased to hear that initiative for first-year students.

We also talked about the training that Western is offering to the sophs who support first-year students and how they actually provided them with two weeks of paid training on a range of scenarios and ways to support students, including what to do when students are deeply intoxicated, what to do when you receive a report of an incident of sexual violence and harassment.

I thought that was a great leadership initiative from Western University. I would love to see universities and colleges across the province adopt it. I think that's the kind of thing the government could encourage if they actually listened to students and created a province-wide advisory board for this sector.

The Acting Speaker (Ms. Patrice Barnes): Questions?

Mrs. Daisy Wai: This question is a supplementary question to one my colleague has just asked you.

I understand, of course, there are always different things that we want to continue to improve, and I'm sure our ministry will continue to work on different areas.

We have been listening. There have been at least 12 members in the opposition in the last Parliament who had put forward different petitions. We have responded and we worked on them. So yes, you can still continue to give us your ideas and suggestions, but what I'm saying is: Will you support the bill as it is now, or would that be just a way to get the members as a plan to put the interests of the faculty unions first?

Ms. Chandra Pasma: Thanks to the member opposite for that very interesting question.

The support of my caucus colleagues for survivors of sexual violence and harassment, and for the people who are doing the very important work of responding to and preventing sexual violence and harassment, is one reason why I was incredibly proud to run for this party and to join this caucus and to stand strong alongside them in calling for comprehensive policies to combat sexual violence and harassment on campus. And that is something that we will continue to do until the day that we have comprehensive policies that are trauma-informed to address sexual violence and harassment.

The Acting Speaker (Ms. Patrice Barnes): The member from London-Fanshawe.

Ms. Teresa J. Armstrong: I want to thank the member for Ottawa West-Nepean for her wonderful debate on this bill. As we all talked about, this is a positive thing so that we have these subjects; we can all discuss and debate them and provide feedback.

One of the things that we note is that the bill is focusing on faculty and staff misconduct towards students. But one of the questions I had is: What happens if a person who

commits a sexual assault—a sexual violent act—is both an employee and a student? Would this address that dual role that they have in this bill?

Ms. Chandra Pasma: Thanks to the member for London—Fanshawe for that excellent question.

One of the things I've been doing for the past few years is advocating on behalf of CUPE members for better sexual violence and harassment policies, because many students and workers are actually in that position.

At York University, for instance, one third of employees are actually students, and so there are many, many people who fall into this category of being student workers, and this bill is absolutely silent when it says that,

for instance, a worker can be terminated for committing an act of sexual abuse, but it doesn't say, then, that the student will be expelled.

So could you be fired from your job but still be sitting next to the person that you committed a violent act against? That's the sort of thing that there needs to be clarity on. It's unfortunate that the bill provides no clarity, and I hope that the government will consider consulting carefully with stakeholders on this question in committee.

Second reading debate deemed adjourned.

The Acting Speaker (Ms. Patrice Barnes): It being 6 p.m., this House stands adjourned until tomorrow at 9 a.m.
The House adjourned at 1800.

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