8:00 p.m.

Legislative Assembly of Alberta

Title: **Thursday, April 30, 1992** Date: 92/04/30

head: Committee of Supply

[Mr. Jonson in the Chair]

MR. DEPUTY CHAIRMAN: I'd ask the committee to come to order, please. Prior to proceeding to the evening's business, I would ask for unanimous consent to deal with introduction of visitors.

HON. MEMBERS: Agreed.

MR. DEPUTY CHAIRMAN: Opposed? The Member for Dunvegan, please.

head: Introduction of Special Guests

MR. CLEGG: Well, thank you, Mr. Chairman. It's a pleasure for me tonight to introduce to you and to all Members of the Legislative Assembly the president of the AAMDC, Gordon Miller, and Lavern Sorgaard, Jean De Champlain, Dick Papworth, and Linda Walton. They are seated in the members' gallery. I ask them to rise and receive the warm welcome of the Assembly.

MR. DEPUTY CHAIRMAN: The minister of Occupational Health and Safety, to make introductions.

MR. TRYNCHY: Thank you, Mr. Chairman. In the public gallery is a group of injured workers. Michael Bonner and Ernie Zaozirny are two people that I've visited with a number of times. They have five other people with them, and I'd like to welcome them here tonight. I'd like them to stand and receive our welcome.

While I'm introducing them, Mr. Chairman, I'd like to also ask that if they have some concerns after tonight's meeting, they could visit my office or write me a letter in regard to their own personal concerns. I know I've met with some of them, and I'd be pleased to hear their concerns again.

MR. DEPUTY CHAIRMAN: The Member for Wainwright, I understand, wishes to make another introduction. Please proceed.

MR. FISCHER: Thank you, Mr. Chairman. On behalf of the Hon. Doug Main, the Member for Edmonton-Parkallen, I'd like to introduce the 177th Girl Guide group. There are 25 visitors. They're sitting in the members' gallery. I'd like to ask them to stand and give them a warm welcome.

MR. DEPUTY CHAIRMAN: Are there are further introductions?

Now I would like to start with the business of the evening.

head: Main Estimates 1992-93

Occupational Health and Safety, Workers' Compensation Board, and Public Safety Services

MR. DEPUTY CHAIRMAN: The estimates commence on page 177 of your main budget booklet. I would ask the minister to make opening remarks.

MR. TRYNCHY: Thank you, Mr. Chairman. I want to take a few moments and speak to votes 6, 12, and 13. Before I do, I'd

like to first of all pay tribute to the people that work for me: Dr. Walker in Occupational Health and Safety and all his staff for their dedication and service to Albertans; also to Alberta Public Safety Services, Mark Egener and all his group, who have worked so hard with me for the people of Alberta; and also to all the Workers' Compensation Board people here, Vern Millard, the chairman, and the board members and all the frontline staff, who work so hard to make sure that the Workers' Compensation Board provides the kind of service that the injured workers deserve.

I welcome them to the House, and I want to acknowledge their contribution to Albertans and their co-operation with myself over the last, I believe it is, four budgets. So welcome tonight. I want you to listen carefully. As you hear the comments from members of the House, they could be directing them at you people, because you're the frontline workers. I hope you take note at what they say. Let's try and work with them.

I want to speak for a few moments on Occupational Health and Safety. It's an organization, an agency that has an important mandate. Its mandate is to improve the health and safety of Alberta workers. Injuries in this province are a drain on the economy of about a billion dollars annually. Direct cost to employers in the province of Alberta due to injuries is about \$500 million in WCB assessment. The average cost per workers' compensation, lost-time claim is approximately \$12,000.

Occupational Health and Safety plays a significant role in reducing accidents. We work with 75,000 workplaces, we cover 60,000 employers, and we work with over 1 million workers in the province of Alberta. In the past year Occupational Health and Safety has visited approximately 25,000 worksites, providing inspections, consultations, investigations, education, and promotion. The staff of Occupational Health and Safety have assisted industry associations, labour unions, and employers to develop and improve work training and health and safety programs. The priority of this government in occupational health and safety is to encourage all Albertans to live safer, work safer, and have healthier lives.

Occupational Health and Safety participated in the work injury reduction program and partnership and has worked with safety associations, industry/labour associations, government action groups, the Alberta Home Builders' Association, the Alberta Forest Products Association, the Alberta Logging Association, the Southern Alberta Institute of Technology and has worked very closely with the Workers' Compensation Board. Working with these groups will help get the job done.

Also implemented by Occupational Health and Safety is a new program called the adopt-a-school program, which was started in Grande Prairie and is spreading throughout the province. We now have 50 companies involved in the program, and we expect another 40 companies in 1992-93. This is where companies will go to schools and talk about safety with the classes. I think it's an important thing, and I want to give credit to industry for taking the initiative and doing that.

Occupational Health and Safety is working with the Northern Alberta Building Trades Council and the Northern Alberta Institute of Technology in the development of a booklet describing the health hazards of welding gases and fumes. The lost-time claim rate of the welding industry has dropped some 47 percent between 1986 and 1990, but that doesn't say that we've done our job. We must do more, and we can do more.

I want to make special mention of the lost-time claims. In 1990 we had approximately 45,000 lost-time claims. In 1991 results have shown a 16 percent decrease to approximately 38,000 lost-time claims. Now, that's a great improvement, but we still have a way to go. As I said yesterday, if we could decrease the injuries

by 16 percent over the next five years, we'd be down to where it would be an acceptable level for all of us.

We have a number of things we want to do. Our goal for '92 and on is to continue to reduce workplace injuries, to reduce illness and deaths. Results show that we are working in the right direction, but as I've said before, we have more to do. Every day we have some Albertans who are unable to work due to an occupational injury or illness. This level of pain and suffering to themselves and their family and the economic loss are unacceptable to all of us in this Assembly and to every Albertan. By working together, we can meet the challenge before us; I know we can. It's a team effort, as I've said so many times, and I am and this government is committed to injury reduction.

8:10

I want to move on to say a few words with regard to the Workers' Compensation Board. Vote 13 provides the transfer of some \$8.2 million to cover legislated increases to the pre-1974 workers' compensation payments. This is the third year of the five-year plan for the phaseout from general revenue by 1995. After that the amounts to be paid for those injuries will be taken out of employers' workers' compensation assessment.

Over the past three years there have been a number of changes at the WCB, but one very important and significant change has been the partnership of the board with Occupational Health and Safety. They've got along and are working now hand in glove. They have Occupational Health and Safety personnel sit on the Workers' Compensation Board and vice versa. There's a link of communication so that each knows what the other one is doing and how they can work together to reduce injuries and reduce the cost of compensation to the employers.

They're also working with industry and labour. This has resulted in a work injury reduction program which is focused on large employers with a high number of claims. It's an interesting number, Mr. Chairman. This injury reduction program has 92 employers registered, some 91,100 workers. The lost-time claim rate reduced in that group has been 18.2 percent in 1991. In 1990 it was reduced by 9.4 percent. So they asked: how did you do it? Well, we did it through consultation. We did it through education. We did it through incentives and commitment to reduce in-workplace injuries in this province.

Many of you, I understand, took in the MLA dinner and tour at the compensation building. I apologize that I wasn't able to make it because of an illness. I'm sure that those of you there viewed the facility and asked questions, and I'm sure the board responded to your concerns.

Another significant improvement has been lower caseloads, from 300 to 130. Initial payments to claims have been reduced from 48 days in 1990 to 14 days in '91. The board increased maximum insurable earnings from \$40,000 to \$42,000 in January of 1992. Entitlement services: 80 percent of all new claims have been routed to this area and accepted, and first payment has been out within 14 days or less, quite an improvement from what we had, say, four years ago.

Client services operation case review: it's been designed to mediate in conflict situations between workers and the board, and 91 out of 168 cases have been resolved. That's a pretty important figure. We hope to continue working to reduce that completely.

The Workers' Compensation Board has resolved to provide information to workers with a workbook explaining assessment policies, procedures, and requirements, which are developed and given to workshop participants. Classifications have been reduced from 762 to 716, and the rating units have been reduced from 327 to 297. Our assessment rate on average is below \$2, very favourable compared to other boards across Canada. Courses have been provided by the Workers' Compensation Board in industrial rehabilitation. Claims imaging allows more than one person to review a file at the same time, and most of you saw that on your tour on April 8.

We've developed a new direction, a new initiative. It's called the labour/business task force. Three people have been involved to hear cases that have gone through the system, that have gone to appeal through the appeals commission, to the Ombudsman. Now they're looking at the kind of policy changes they might recommend to the board. We hope to have that new direction come this fall.

The Workers' Compensation Board has been meeting with employers, with workers across the province. I think they've just finished their tour. They've spent over 20 days at 15 different locations across the province, and they've met with over 500 employers and injured workers to discuss: is there something else we can do in regard to policy changes?

I have been involved in two round table discussions in regards to compensation, one in Calgary and one in Edmonton, very, very satisfying round table discussions, where we met and heard a number of concerns, and we're taking those forward. Our goal is to improve the promptness of payments, improve all other services, and improve our communications.

Mr. Chairman, I'll close by saying a few words on Public Safety Services. That department promotes emergency preparedness and public safety. It ensures dangerous goods move safely through the province. It provides training to industry, municipalities, government, and over 5,000 people were trained last year. It assists municipalities with emergency response equipment which is cost shared with the federal government. It assists with special rescue equipment, various qualified rescue teams. It's now studying something new: a provincewide 911 service.

There will be recommendations this fall for a computerized radio system which will alert Edmonton and area residents of impending disaster such as a tornado. This is the first of its kind in Canada and could be activated within 90 seconds on every radio and television station across Alberta, a very, very important procedure. We hope to have the first test in May. I think it's important that Albertans know that they have this and that we provide a safe province in which to live.

Public Safety Services co-ordinates and pulls together resources of government in emergency disaster situations such as a tornado. A recent example is the flood in the town of Peace River, which I visited the first Saturday. Those are just examples of the many resources that are called together to manage and prevent and assist as much as possible to prevent loss and what is in many cases a considerable amount of damage.

Mr. Chairman, I've covered briefly the three votes that we have tonight, and I'd be prepared now to take questions from the members.

MR. DEPUTY CHAIRMAN: Just before proceeding, for the benefit of members I should add to something I said earlier, and that is that we're dealing with votes 6, 12, and 13 under Executive Council estimates.

The Member for Edmonton-Mill Woods.

MR. GIBEAULT: Thank you, Mr. Chairman. I'd like to start with a couple of comments on Occupational Health and Safety and then come back to the Workers' Compensation Board. Both of course are very closely related.

In terms of Occupational Health and Safety, it's perhaps an interesting coincidence that we're discussing the budget estimates for the department of Occupational Health and Safety this evening when there was going on in the last few days the Conference on Workplace Health and Safety, the commitment to action, sponsored by the Forum for Action on Workplace Health and Safety. I had a chance to take in a number of sessions at the forum and listen to some of the ideas that are being explored in different sectors of the province here, new initiatives, firms that have very good records in terms of safety, and some of the ideas that have been developed in other jurisdictions.

Unfortunately, I didn't have a chance to hear the minister's presentation yesterday morning, but I noticed that many of the delegates to the conference were reading their Edmonton Sun, perhaps interested more in the headlines about the minister's condo deals and perhaps a little distracted from the purpose of the conference, but the next day, which was really today, Mr. Chairman, we had a story that talked about the minister's remarks to the conference. A lot of us were hoping that the minister would have taken the opportunity of this conference to announce some new initiative in Occupational Health and Safety. Regrettably, according to the Edmonton Journal - and I always look at that as a reliable source, and I ask the minister if he could confirm or expand on it perhaps - all the minister was able to offer is that the solution to safety problems is if we all put stickers on our hard hats. Mr. Chairman, I can't express how disappointed many, many people were with that marginal proposal to such a problem of occupational health and safety.

8:20

Mr. Chairman, the conference talked about partnerships, about how we had to work together with management and labour and injured workers and the medical profession, all the people who are involved in safety associations, and so on to try to reduce the carnage that takes place in this province every year. Almost a hundred people die every year. That's one every other few days. There are something like 60,000 claims for workers' compensation in the province every year. That's less than a couple of hundred every day, but a great number of people every day are injured or develop disabilities so bad that they can no longer continue their employment and have to apply for workers' compensation.

Now, of course, the idea with Occupational Health and Safety is preventive in nature, Mr. Chairman, and it's interesting to know that during this past year since we were here last year debating the budget estimates for the department of Occupational Health and Safety, we haven't had from our minister of Occupational Health and Safety one new initiative in terms of health and safety regulations, not one. In fact, since this minister has been the minister of Occupational Health and Safety, there have been no new regulations put forward; that's zero in three years. There's only been one amendment to an existing health and safety regulation, and that's the radiation regulation. Hardly a sterling performance, I think anyone would admit. I can certainly advise the members of the House that in other provinces that have more progressive governments, there's been much more action than that in terms of trying to protect the workers' health and safety in their respective provinces, governments that have a lot more interest, it would seem, in trying to prevent accidents from happening so that we can reduce this burden that is created by the Workers' Compensation Board having to pay out so much money for injuries after the fact.

In fact, Mr. Chairman, if we look at the budget estimates in vote 12, Occupational Health and Safety Services, which are before us tonight, we see that vote 12.0.8, Regional Inspection and Consultation, is down 2.2 percent. If you add on inflation of 3 or 4 percent, it's really a net loss of about 5 or 6 percent. So

that really shows hardly any sort of new commitment, new energy or initiative to try to enhance regional inspection and consultation to improve the health and safety situation in the province.

Now, we know that there have been a number of cases that we have referred to in this Legislature over the past year of problems with health and safety in a variety of areas. I'm going to touch on a number of them here this evening, but I just come back to this point that it always seems that we're prepared to cut health and safety. There are other areas of the budget that have had increases, but the health and safety of the workers of this province still doesn't seem to be very much of a priority with the government.

For example, we notice that the government put forward new fees for radiation equipment testing, but we see in the budget that there are no additional funds being allocated for new inspectors. So it seems to me that that was simply a revenue grab on the part of the government, Mr. Chairman, and I'm concerned that what we're doing here is simply turning the health and safety inspectors into tax collectors. They just go out to a site, and it seems that their main purpose now is to collect money for the government. I think that's really getting away from the purpose of what health and safety inspectors should be.

So I express that concern, and I would like the minister to try to give the workers of this province some sort of a glimmer of hope, of commitment on the part of the government that in fact we are going to see an enhanced allocation of resources to health and safety so that there can be a serious inroad made in reducing that very high level of accidents that continues to be such a burden on the economy. Then eventually, of course, after the accidents, the personal and social and family costs that are associated with injuries are extremely high and traumatic, and I want to come back to that in a bit more detail just a little bit later.

Since our last review of the budget for Occupational Health and Safety last year, there's been a number of items in the news in this particular area. One of them was the very fine work that was done by the Edmonton Journal in terms of identifying a noise problem in bars around the province. After a lot of articles that embarrassed the government and pointed out a problem, there was some action taken, but we haven't seen anything in terms of a new regulation or an enhancement of regulations for noise levels to protect people's hearing. Mr. Chairman, a lot of those people working in those kinds of environments are going to end up with permanent hearing loss that cannot be corrected and will eventually be applying for workers' compensation down the road. So what we want to keep coming back to is the idea that Occupational Health and Safety expenditures are really an investment in the health and well-being of the workers of this province and consequently the well-being of their families, and to the extent that we are not investing in the health and safety of our workers, we're going to be paying it down the road in increased payouts under workers' compensation.

Another area I want to touch on, Mr. Chairman, is the situation with asbestos. We've raised this in the Legislature repeatedly. I have a constituent who lost his job after he tried to exercise his right under the Occupational Health and Safety Act to lodge a complaint with the way asbestos removal was being done with the Edmonton public school board. He's pursuing the various options that are available to him in his particular case, but it comes back to the point that the asbestos regulation is not being properly enforced and monitored. I know that the minister told us more than a year ago that the asbestos regulation was under review and that he was consulting with people in the trade and the insulators' union, people who work with this dangerous substance, and that there was going to be some modification and introduction of an Mr. Chairman, that is a very, very hazardous substance. In fact, the minister's own departmental *Occupational Health and Safety Magazine* pointed out not very long ago in one of its issues that the biggest killer of workers who died from occupational diseases was asbestos. In 1990 it was something like 10 workers out of 16. That's a very serious situation. Once workers are exposed to this toxic product, develop spots on their lungs, and develop symptoms of asbestosis, there's virtually nothing that can be done. People are very seriously compromised in terms of their lung and respiratory functions, and that very much limits their employment prospects.

So I call on the minister again to give an increased commitment to ensuring that asbestos removal projects are monitored in the most careful way. In fact, I would suggest that we could look at having some kind of a registry of all the buildings in the province that have this known carcinogenic substance within them so that when they come to modifications or renovations or demolitions of buildings, it will be an automatic process that they will have to check with Occupational Health and Safety to ensure that an appropriate plan with proper safeguards for the removal of the asbestos is put in place and workers and passersby and so on are not unnecessarily exposed to this very hazardous substance.

Mr. Chairman, another problem area, of course, has been many of the products that welders have to work with. The gases that they're exposed to are very toxic, and many workers have developed serious lung and other disorders resulting from exposure to the gases associated with welding. Much of that could be avoided if workers were fitted with the proper kinds of equipment that would vent continuous fresh air to them and force fumes away from them, but a lot of employers don't want to invest in that kind of equipment. That's the problem we have here. So many employers are so preoccupied with the bottom line that health and safety seem to be the very last things they look at.

8:30

Mr. Chairman, I come back again to the health and safety conference that just concluded today. That was one of the things that they talked about: the idea of a health and safety culture that we've got to promote. One of the speakers said that a few years ago people didn't think about the environment so much, and now the popular concern or attitude is that we've got to be much more concerned about protecting and enhancing our environment. Another example was given in terms of public attitudes towards family violence. We don't accept that kind of behaviour anymore in nearly the same way that it might have been overlooked in years past. I think we've got to look at the same thing, as many of the speakers at the conference pointed out, in terms of health and safety, that we've got to have a health and safety culture. That, of course, is greatly enhanced when we have some leadership at the top, and I'm talking about particularly from the minister responsible for Occupational Health and Safety.

One of the other things that was discussed at the conference and that has been a concern of mine for quite a long time is the future of the Canadian Centre for Occupational Health and Safety in Hamilton. This is the centre, Mr. Chairman, that provides occupational health and safety information to Canadians all across the country. It has the involvement of employers, labour, and government. It's in the process of restructuring and reformulating its financial arrangements. One of the things they're looking at now is coming up with \$600,000 from the various provinces, and they want commitments from all of the provinces to support the services that are available in terms of information on chemical hazards and all kinds of occupational health and safety matters.

It's a first-rate centre. It's the best information centre in the country for all kinds of health and safety questions, but the financial problems that have been plaguing it have contributed to a certain amount of instability. I know that of the \$600,000 that's now needed from the provinces, the province of Ontario has offered to pick up half. That's \$300,000. The other nine provinces are being asked to contribute in proportion to their work force, so \$300,000 divided by nine would be somewhere in the neighbourhood of about \$34,000. I would like to call upon the minister to give us a commitment that Alberta is going to participate in this national initiative, this national vision of a centre that can provide the most current and up-to-date information on occupational health and safety.

Mr. Chairman, the comments I have heard concern me. I heard at the conference in the last couple of days that this government doesn't seem to be interested in this national initiative and is not prepared to commit on the basis of our population. I heard one delegate at the conference say that it was his understanding that the minister was only proposing to support the Canadian Centre for Occupational Health and Safety to the extent of calls or demands that were registered from Alberta. That's not a good measuring stick because a lot of the national organizations, whether it's national employers or national workers' organizations, unions, or national research centres, all make demands and requests for information to the Canadian Centre for Occupational Health and Safety and then feed that information back to their component companies around the country or their component trade union locals. So you have a lot of national organizations making requests in Ontario, but they're on behalf of the entire country and benefit the entire country and benefit us here in Alberta. To be fair about this, in Alberta we should be contributing a share for these expenses in proportion to our component of the labour force, and that's somewhere in the neighbourhood of 10 percent. As I suggested, the appropriate course of action would be for the minister to make a commitment to this national centre on behalf of Albertans soon, and I challenge him to make that commitment this evening so that we will have a commitment that is substantial and that reflects our component of the national work force here in Alberta of somewhere around 10 percent.

Now, Mr. Chairman, I also want to touch on some of the questions relating to the Workers' Compensation Board. We have had continuing problems with the Workers' Compensation Board over the years. I know that they are looking at a number of new initiatives to try to improve various elements of it, but, frankly, in discussing this with my colleagues in recent times, it still continues to be the case that we get more complaints at our constituency offices about workers' compensation problems than any other element of government-related service, bar none. So there's still a very long way to go. We know that there continues to be a lot of very frustrated injured workers in this province. As I mentioned earlier, we have something like 60,000 new claims for compensation every year. There are some claims that are very serious and ongoing for a substantial period of time.

Mr. Chairman, just a few days ago I had a meeting with members of the Red Deer Injured Workers' Society: Mr. Greg Stewart, who's the chairman, and a number of their members. They itemized a number of complaints about the situation that they have had with workers' compensation here in the province. Some of the stories really were very, very disturbing in that even now there continues to be some serious problems. They pointed out a number of things. I want to just outline a few of them here. They mentioned the fact that it still apparently is common that the WCB makes decisions about workers and their claims without even bothering to discuss it with them. They just get a letter in the mail that they've been terminated, that somebody has somehow arbitrarily determined that they're now fit to go back to work. Sometimes these decisions are made even against medical evidence to the contrary. So there really are some problems still in the adjudication of these claims. It concerns me that adjudicators who are not medical professionals are making such important decisions that affect the financial viability of workers and their families, apparently with very little regard for the medical evidence and the medical opinions.

Mr. Chairman, a number of the members of that delegation, in fact, mentioned that because of these problems many of them have ended up on social assistance. It's unfortunate that the minister of social services is not here with us today, because I want to know from him how many people are on his caseload – and I know he's told us that it's increasing – who in fact should be receiving benefits from workers' compensation. I would be interested to know exactly how many that is. I would be willing to bet it's a substantial number. We could perhaps reduce the draw on resources on the Family and Social Services department if the Workers' Compensation to injured workers until they are ready to go back to work.

Now, Mr. Chairman, we also had a number of complaints about WCB doctors, who in some cases didn't even meet the workers, writing reports. In fact, there were even claims made that one of the WCB staff members referred to one worker as a drug addict in writing to a number of people. That's a very serious kind of allegation to make. These kinds of things are extremely hurtful and painful to injured workers. I can't really even express how deeply hurtful this kind of treatment is. It adds an incredible amount of pain to the emotional pain, psychological pain, to the physical injury or disability that the worker has had to start with.

Another problem, of course, is with appeals. Sure there's an appeal process. You can appeal a claim to the Claims Services Review Committee and then to the Appeals Commission, but, Mr. Chairman, how long does that take? Well, I can tell you there are cases that have been going before either of those bodies for over a year. We raised a number of them in this Chamber in the last number of months – well, over the last number of years, really, to be frank about it – and there continues to be these problems. I remind the minister and the members of the Assembly tonight that last year when we were debating this question – or was it the year before? – the last amendment to the Workers' Compensation Act, I asked and put forward an amendment that appeals to claims decisions be handled within a reasonable period of time, like 30 or 60 days. That, I think, is reasonable. I think workers have a right to expect timeliness in decisions.

I just go back to that saying, "Justice delayed is justice denied." We can't have people saying that on paper – "Oh, yes; you've got appeals to the Claims Services Review Committee and then the Appeals Commission," – but in fact it can take over a year to go through that process every time one decision has to be appealed. So that really has to be improved. Until we improve that situation, Mr. Chairman, we're going to continue to have injured workers who feel so frustrated with the system that they demonstrate outside the offices of the WCB or here at the Legislature. We've seen countless demonstrations here as well because people just don't know what else to do. They're so frustrated in terms of the way they get treated by the WCB.

8:40

So we have to straighten out the system. We have to make some of these improvements. We have to respond to some of these concerns that injured workers have brought to our attention. Otherwise, there are going to continue to be the kinds of tragedies such as we saw in Calgary not too long ago in the case of Mr. Gregory Jack, who made the ultimate protest in a certain sense, I suppose we could say, but a very tragic case: someone who felt that there was no other way to deal with the situation except to take his own life. Surely, I know that everyone here wants to see that those kinds of things never happen again. Mr. Chairman, people only can be pushed so far. I'm asking and pleading with the minister to pay attention to those particular concerns and to ensure that the Workers' Compensation Board tries to respond more effectively to them.

Another problem, of course, with the Workers' Compensation Board is that they often will say to workers that they're now ready for light duties. Now, that's a great phrase, "light duties." Well, Mr. Chairman, out in the real world there, there are not many jobs that have light duties, not many employers and organizations that can take a position, a work area that requires certain capabilities and so on and say, "Well, now we'll just give you light duties." It's a very, very problematic situation. I think it's the kind of phrase that you go to an employer and, you know, they recognize that there's no such thing in the real world. That's the bottom line really. So we've got to get to a situation where we assist workers to get back into the work force as they are able to, provide retraining, and so on.

I guess that comes to, in my mind, the problem of proposed amendments to the Workers' Compensation Board. Now, I know the board has been doing public hearings around the province over the past year. A number of injured workers and employers and workers' organizations and so on have been making presentations, and I know that the board is looking at proposals for a wage-loss system of some sort. One of the most controversial elements of that, and one of the elements that organized workers and injured workers that I have talked to and so on are concerned about, is the provisions for deeming. What this means, Mr. Chairman, is: suppose a person's a carpenter and he or she suffers an accident on the job; loses a leg, say, below the knee, an injury of that nature. Well, they can't do carpenter's work anymore, so the WCB then might deem or estimate that this person maybe now can be a computer operator where they can sit down at a desk. The fact is that the person might not be able to get a job like that. So this idea of deeming that people can do something is really another concept like "light duties" that doesn't exist in the real world.

Mr. Chairman, we can't accept those kinds of things. We've got to have legislation here that responds to the real world that injured workers are going to have to deal with when they try to re-enter the work force. When you start getting to these deeming provisions - as I started with my example, the carpenter might be making \$40,000 a year. He gets injured. The WCB says, "Well, okay; you can't do carpentry work anymore, but maybe you can be a computer operator at \$25,000 a year, a difference of \$15,000." What the board then is proposing is that they will make up the difference between what they deem you can do as a computer operator at \$25,000 - they will make up that \$15,000 difference and pay you the \$15,000 whether or not you're able to get a job as a computer operator or whether or not you get an offer for that line of work. We're very, very sceptical of those provisions, and I ask and put to the minister tonight to tell us if he will give an assurance that he will not introduce into the

Mr. Chairman, the last annual report of the Workers' Compensation Board that we have is 1990. What about 1991? We're into May tomorrow, and we still haven't got the 1991 annual report. What's the delay there? I ask the minister if he would advise us. We'd like to know what changes have occurred in the last year. The minister mentioned occasions like the meeting that the board has with MLAs, which I think is a useful forum for exchange and update of information, but we would like to see the latest annual WCB report for 1991. I'd like the minister to tell us tonight when it's going to be released.

Mr. Chairman, the Auditor General's report came out a couple of weeks back. One of the things that was in there was that there is a problem in that the Health department, by way of the hospitals in the province and clinics and the health professions, are not properly billing the Workers' Compensation Board for injuries that workers suffer in the workplace. What this means is that the Auditor General has estimated that \$10 million is being charged to the Alberta health care insurance plan, which means workers, through their health care premiums or tax money, are in essence subsidizing employers who should be paying those costs through their assessments through the Workers' Compensation Board. The minister, when I asked this question not too long ago, said that the board is looking at the report. Well, that's not good enough. This is not the first time the Auditor General made that recommendation and that observation. It's the third year in a row; three years in a row now. The board and the minister have had this recommendation before them not just as of a couple of weeks ago but for the last two years before that. So I put to him again: why is it that nothing seems to have been done, that the Auditor General has made that same analysis and recommendation for the third year in a row? We deserve a little better response than "it's under review." It's been under review for two years, and surely something has come out of that.

Mr. Chairman, to come back again to this question of partnerships in terms of occupational health and safety and in workers' compensation, as I mentioned, that was one of the themes of the conference that I managed to take in a number of sessions of over the last few days. I guess I would put to the minister that if he really is concerned about trying to improve the system with workers' compensation, he extend the partnership concept to injured workers' organizations in terms of their representatives on the board, the Appeals Commission, advisory committees, and so on. I think if you invite injured workers' organizations to participate, they would be happy to give a lot of very useful suggestions and ideas on how the system could work better. I think that would get away from some of the confrontational attitudes that seemed to have developed over the years. So I put that to the minister and I hope that he . . .

MR. DEPUTY CHAIRMAN: Order please. Does an hon. member need the assistance of a maintenance man?

MR. McFARLAND: I think so.

MR. DEPUTY CHAIRMAN: Perhaps it could wait till another day. Thank you.

MR. GIBEAULT: Mr. Chairman, there are a couple of other things that I think are important to just touch on here. There's a very serious problem as the economy is evolving and work patterns and so on are changing. Just the other day in the *Calgary Herald*, actually on April 19, there was a very good story. The

headline was: "Nowhere To Turn. Women disabled by repetitive work find little support - and less help." It's the problem of repetitive stress injuries: computer operators, people who do processing and assembling kinds of work, the same kinds of motions over and over. The same thing happens in terms of meat processing plants and so on as well. This is an increasingly difficult problem. I'd ask the minister if he's giving any thought to this or developing any new initiatives to deal with it, because it is becoming an increasingly serious problem. When you have the kind of employment where you have repetitive motions over and over, the same kinds of motions, you develop carpal tunnel syndrome and various stresses on your hands and arms and so on, and it can permanently disable people in a very, very disabling way. It is increasingly a problematic situation. I would ask that the minister respond to that particular increasing area of concern, particularly as it affects women, a lot of women who are paid generally lower wages with lower benefit packages and so on and exposed to more of these kinds of hazards.

Thank you.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Whitemud. Oh, pardon me. The minister wishes to respond.

8:50

MR. TRYNCHY: I think, Mr. Chairman, I should respond to those comments because as usual the hon. member doesn't know what he's talking about. It's too bad. His remarks about my remarks at the meeting yesterday morning: he was there for breakfast; why didn't he stick around and hear what I had to say? So he takes all the news from the *Edmonton Journal*. He should be ashamed of himself.

Well, let's look at what I said and what was printed. It's unfortunate that he'd raise the issue from a paper and not stick around when I was there and say, "Look; let's hear what he has to say." There are a few comments that I'd like to say to the House and let the hon. member hear again. This government has a commitment to workers and employers. It's a shared responsibility: government, workers, employers in the workplace. It couldn't be any stronger than that.

The next comment: industry must train and motivate skilled workers, protect their workers as a capital investment. That's industry. That's the employer. I said that government is there to assist you. It won't do it for you, but it's there to assist. I talked about injury reduction. The member says we haven't done anything. He says Occupational Health and Safety hasn't done a thing, yet in one year, 16 percent. He makes up his speech without listening to what I said in my opening comments. Maybe it's time he kept his ears open and kept the other part shut.

Further to my comments, I said that industry, labour, government working together as a partnership is a team effort. I gave an example of the forum for action group which we funded through the heritage fund. Working together: it's there, and it was said yesterday. If you'd sat there and listened for five more minutes, you'd have heard me. I said that we all have a role to play, we have a commitment, we have an involvement, and my challenge to all of you was to work together to improve it. Mr. Chairman, let's put that on the record.

He goes on to say that Occupational Health and Safety has had a reduction. Yes, it does, by 2 percent, but we've changed the role of Occupational Health and Safety where the managers now are doing inspections. We have more people in the field this year than last year because we've changed the system.

MR. GIBEAULT: How many more?

MR. TRYNCHY: Well, the numbers I can give later. I don't have them right here. Each manager now is an inspector in addition to sitting in the office, something that we should do right in the workplace. We're doing that. He talks about regulation changes. Well, they will be coming.

MR. GIBEAULT: When?

MR. TRYNCHY: Mr. Chairman, very quickly. We don't force them down employees' throats. We work with them. My understanding is that the asbestos regulations will be coming forward to a government committee very, very quickly. Also, in regards to the noise in the nightclubs, we have talked to them. There are regulations out now, and if they're not prepared to listen and do what we say, we'll close them down. We have those in our regulations, so that's going to be taken care of.

He goes on to say that we need more information on welding gases. We do, but we provided booklets, and as I said at the outset – he wasn't listening – a 47 percent reduction. We can do more, and we have to, but it's there, and we're working towards it.

He talked about the Canadian Centre for Occupational Health and Safety. Well, I'm just as concerned as he is in regards to that, and we've made a commitment that we would be involved in providing our share of dollars to keep it going.

MR. GIBEAULT: How many dollars?

MR. TRYNCHY: At the present time we've committed ourselves to \$25,000. After discussions with the deputy ministers and all other boards, if we feel that the need is for more dollars from the province of Alberta, and if we can use the service, we would consider more and I would recommend that we would do that. So we're there with our share. Mr. Chairman, 4 percent of the calls to that come from Alberta, and if we pay our share from Alberta, it's less than \$25,000, but we're willing to go further, and we will if we have to.

He says that the Workers' Compensation Board has problems. Well, I mention that, friends, because he's condemning you people, the people that work there. I can't change how the adjudicators, case managers do it, so I want you to pass on to the workers in the compensation board just what the NDP thinks of them.

MR. McEACHERN: Cut their workload.

MR. TRYNCHY: We've cut the workload from 300 to 100 and some. That's what he does. We know there's problems, but did he meet with the board? Has he ever met with the board?

MR. GIBEAULT: Sure have.

MR. TRYNCHY: You have? I'll find out if you have. Yes, I'll find out if you have, because I'm sure he hasn't. He has a brother on that board, an NDP candidate he can talk to. Why doesn't he do it?

MR. GIBEAULT: I do.

MR. TRYNCHY: Yes, he does.

I'm so disappointed that he would condemn the staff of WCB. On April 8 he attended a dinner. As soon as he ate, he left. He never waited to ask one question. Why not? Why don't you ask the questions about those people up there? Why did you leave? Shame on you.

He says the Appeals Commission is too slow. Sure, it's too slow. We're working with it. He's talking about putting injured workers on the compensation board. Well, we have them there. We have three injured workers on the board. We'll invite injured workers wherever we can; no problem. So what he's asking for was already done over a year ago.

I wonder what advice he gives to injured workers. Not once in four years that I've been the minister has he come to my office, not once. But he plays the workers against me. He plays the workers against WCB. That's his style. Shame on him.

He talks about the amendments at WCB. I say to him, why does he suppose it's going to happen? Why doesn't he wait until the amendments are brought forward so we could all discuss them? He tries to put fear in the workers. Why do you do that? Let's wait for the amendments. You might be surprised. Mr. Chairman, really, really disgusting.

Just the other day he asked a question in regard to the Auditor General's report, and he made a statement – it's in Hansard – that we have had this three years in a row. Well, he's wrong. The Health department had it. This is the first year they've ever notified us.

MR. GIBEAULT: Don't you read the whole report?

MR. TRYNCHY: I read it, but it's the health care department that had two year's notice. We just got it this year, and we're responding to it. If the health care does not bill compensation, compensation will not pay. Makes sense, doesn't it? It does to me, but I guess it doesn't to him.

He asked about the annual report and why it's late. Well, it's not late. It's to be put in the House in the month of May. It's not ready yet. When it gets to my office, I will table it in the House. In the month of May: that's the regulation. Look that up too.

Mr. Chairman, it just disappoints me that the member gets up and makes statements without thinking, makes statements for confrontation with injured workers instead of working with them, working with us, working with the board. The board went throughout the province and had meetings in Edmonton for one, two, three, four days. Did he appear at one of those meetings and make any submissions? Did he? [interjections] No, I just asked. Did he? Because I'll find out, and I'm sure he didn't. They met in Lethbridge, Medicine Hat, Lloydminster, Red Deer twice, Grande Prairie, Fort McMurray, Peace River, Hinton, back to Edmonton, back to Calgary, met with the AFL and industry. So they're doing their job. They're listening to workers; they're listening to employers. It's disturbing that he would stand in his place and say that.

He met with Greg Stewart. Well, I phoned Greg Stewart and said, "Come on in." He can't make it, but I understand we'll be meeting as quick as he can get here. I'd like to hear from him. You know, ladies and gentlemen, as of today there isn't one worker in the province that had asked to meet with me that I haven't met. I met with two this afternoon. So that's how I respond. For him to say that I won't meet is just garbage. It's just nonsense when he says that I won't meet with them.

He talked about a drug addict. That wasn't our doctor. There again he makes an accusation: a WCB doctor, if I heard him correctly, but I'll check *Hansard*. It was an outside medical report coming to the Workers' Compensation Board. The first we'd heard about it, that the worker had a problem. He makes the accusation that WCB was at fault. You should check your facts before you make those statements.

MR. GIBEAULT: If you read the Ombudsman's report, whose fault is it?

MR. TRYNCHY: You just check the facts. I will; I'll make darn sure of that.

Mr. Chairman, I believe those were the questions he asked, and I thought I should get them off my chest while they were still fresh.

Thank you. [interjections]

9:00

MR. DEPUTY CHAIRMAN: Order please. The Member for Edmonton-Whitemud.

MR. WICKMAN: Mr. Chairman, after watching that performance, I hesitate to rile the minister any further, but I'm going to say some things that he isn't going to like to hear.

First let me talk a little bit positive here, Mr. Chairman. There are some aspects about the Workers' Compensation Board that have improved. I took the opportunity to tour the job centre that was recently created. I was very, very impressed with the opportunities that are now provided for those injured workers that are ready to go back into the workplace. They can look at those boards and utilize some of those cost-shared programs, and it allows them somewhat of an advantage in re-entering the workforce. That's very, very important, because I myself hold that injured workers who have a partial or permanent disability don't want to sit at home and stay on workers' compensation pension for the rest of their lives. They want retraining. They want to re-enter the workforce. They want to be productive members of society, and I think that's very, very important.

Another positive initiative that the Workers' Compensation Board has undertaken is the annual meeting they have with the Members of the Legislative Assembly that gives us the opportunity to talk with members of the board and hear reports and get a better understanding of what's happening. I've watched that whole system, and I'm very, very familiar with how the Workers' Compensation Board operates, possibly more familiar than the minister may realize. There have been some attempts to recomputerize the single management case system, trying to reduce the number of caseloads per adjudicator, and so on. Those are the positive things that have happened.

When I look over the last 30 years, having followed the Workers' Compensation Board, I can recall back in the late '60s when the Workers' Compensation Board - it was then called the Workmen's Compensation Board - was probably the most stagnant body there was in this province. Those were the dying days of the Social Credit government. I can recall writing to Peter Lougheed when he was Leader of the Official Opposition, pointing out concerns I had with the Workers' Compensation Board and the need to revamp that Act and make changes. I have to give credit that when he was elected, he had a fresh government, and for a number of years his government was extremely responsive; they did make some major changes. They brought people like Roy Jamha to the board. He created changes. We saw things start to finally happen, and workers saw that things were going to happen and that there were going to be some changes. That was extremely positive, but unfortunately, after two terms of government that Tory government became stale, and those good things, those changes that were happening seemed to come to an end. That responsiveness that was there of course was no longer there. It now reminds me of those late '60s when we had that dying Social Credit government that was content to live on stagnant legislation,

not bring forward progressive change. I think that's the situation we're in right now, Mr. Chairman.

The number of complaints: this is an extremely frustrating one. Not a day goes by that we don't get two, three, four, sometimes five complaints in our constituency office in Edmonton-Whitemud from injured workers. I hear time after time after time how it's going to improve and these numbers are going to be reduced. They have been reduced somewhat, but still, when I get two, three, four, or five calls in a day, and people, injured workers coming to see me or my staff there, that's not right. There's still something wrong when there are so many workers out there that feel aggrieved. The minister has said on countless occasions: send them my way; I've got an open door; I'll listen to them. Mr. Chairman, we have tried that. We have encouraged workers to go and meet with the minister, and some of them have met with the minister. They come back to me, and they say, "What's the sense?" All he does is refer them to the board in any case. So it has not done any good to do that. We've had workers write directly to the minister. I've written to the minister. The leader of the Liberal Party has written to the minister. Those letters are simply referred to the Workers' Compensation Board. I could do that myself. That's not providing assistance to the injured worker that isn't already there from the Workers' Compensation Board.

I want to see the minister's office start getting a bit more responsive and start dealing with these issues and resolving them. If he can't resolve them, then find a way to resolve them, because when you've got that many injured workers out there that are still grieving, there is something wrong with the system. I'm starting to run out of patience. I'm starting to get tired of those numbers of injured workers that day after day after day have to go to my constituency office, Mr. Decore's constituency office, and I'm sure a lot of your constituency offices trying to get justice. I want to see that corrected.

Now, there was a situation with the phone tapping. Fortunately, that has been curtailed, and I hope we never, never, never have to deal with that type of situation again. There was a period of time when the Workers' Compensation Board building was becoming like a barrier with the security. Then with the phone tapping, that was going way, way too far. I think the board itself recognized that, and they put a stop to it. I'm just concerned that it never happens again.

Mr. Chairman, the Member for Edmonton-Mill Woods touched on proposed amendments. Now, there are some proposed amendments that have been floating around, and I'm not sure exactly where they've come from. I've asked a number of people, including members who sit on the Workers' Compensation Board, and they don't know where those proposed amendments came from, where that document that's been floating around came from. Some of the proposed changes to the Workers' Compensation Act have very, very serious implications, and they are to be taken seriously because the chairman of the board did in fact respond to one of the injured workers that had written expressing his concern about those amendments. So I would like the minister to elaborate to some degree as to what's happening with those mysterious proposed amendments and what's going to come out of them.

The labour/business task force that is attempting to resolve somewhat or examine the individual cases of dissatisfied claims: I would like to know how that is going. I can recall, I believe it was about two, maybe three years ago, that there was a small group, a task force or a committee set up that was exploring about 250 individual cases. I know there was some type of report, a document that was published. It was an internal document. Whatever was in that internal document was so damning that it was never released. I know that for a fact, Mr. Chairman. That task force found that there were some real problems at that particular time with the Workers' Compensation Board. I would hope that those concerns have been resolved in the interim, but I still don't know about all those ongoing cases that were being examined at that time that are still being examined. I would certainly hope that someday they are going to be resolved, that there is going to be some type of satisfactory solution that is going to be arrived at.

The window of opportunity program that has been referred to: I'd like to know specifically how much has been spent since 1990 and how much staff is involved in that particular program.

9:10

As well, I'd like to know what the minister is doing to attempt to reduce injuries amongst hospital workers. The question of the Auditor General's report and the reference to the health care costs was touched on by the Member for Edmonton-Mill Woods, so I won't go over that again.

Mr. Chairman, it was brought to my attention, today as a matter of fact, by an injured worker who was making inquiries at the board as to why his cheque had been delayed for a number of days. He was told that there was a disruption in the computer system – which can happen; it can happen with any computer system – which resulted in cheques at least in some areas being delayed. When he inquired in the process of this conversation with one of the staff, "Were there additional staff being brought in to bring things back up to steam?" he was told no, there were in fact going to be some layoffs within the Workers' Compensation Board. I would like to know if there is anything to that, if there are any layoffs that are anticipated within the Workers' Compensation Board.

There's a document here that I'm going to send over to the minister, and possibly he could respond to it. It comes from a publication by the Canadian Federation of Independent Business, and it's entitled "WCB battle looms in Alberta": the Canadian Federation of Independent Business "is poised to battle the WCB in Alberta." It makes reference to proposed changes about assessment being extended to companies that are one-employer type companies. Possibly the minister would be good enough to respond to that.

I'd like to touch a bit, Mr. Chairman, on the occupational health and safety aspect. The partnership program has been referred to. I would like to know from the minister as to how serious a commitment there is towards the partnership program, as to whether the partnership program is going to be expanded, as to whether the minister is optimistic that results are being achieved, and if the partnership program is the way to go. If it's not working, if the partnership program is not deemed to be viable, if the commitment isn't there, then there is really no option, in my opinion, but to look at mandatory safety committees.

There are a couple of specific instances when we talk in terms of occupational health and safety that I found particularly disturbing. One was the situation that was pointed out on a number of occasions by the Member for West Yellowhead, and that dealt with the gas leakage in Hinton. There was a case of a number of people that felt the effects of an industrial accident – I'm not sure of the proper terminology – but there is no question that they were hard done by, that they have met brick wall after brick wall. It seems that they're just batting their heads against a brick wall, and they're not getting anyplace. No matter what course of action they attempted, it simply was not resolved. The minister would not deal with it. The Minister of Labour would not deal with it. The Attorney General would not deal with it. Nobody would deal with it, yet these people are out there asking for that to be dealt with. I don't know what the answer is as to how it is to be dealt with, but somebody in government has to assume the responsibility and deal with it and come to some type of satisfactory conclusion.

The incident in Fort Saskatchewan, Prospec Chemicals Ltd., was a situation where we saw chemicals being handled in a way that was totally, totally unacceptable. I'd like to know from the minister as to whether he has any update as to what the end result is in that particular situation and what his department's role was versus the role of Alberta Environment.

Now, when we look specifically at some of the figures, some of the estimates that are in the Occupational Health and Safety budget, 12.0.4, which is Personnel, Finance, and Administration, shows a reduction of 2 percent. Last year there was a reduction there of 3.6 percent. That's good. That's positive, and the minister has to be given credit in that particular area for making an attempt to demonstrate fiscal responsibility. Possibly he's been watching our leader wave that empty wallet and he's getting the message that there is something to this fiscal responsibility. So I want to pay credit to the minister on that particular point.

When I look at 12.0.7, Health and Safety Audit, they're down 7.4 percent this year. Last year they were up 20.5 percent, so I guess one could argue that an increase of 14 percent over roughly two years is not a bad deal. I guess it's not a bad deal, but the difficulty with it is the instability of that type of budgeting, where one year you get an increase of 20 percent and the next year you get a decrease of 7.4 percent. You've got to show a bit more stabilization there, or else the minister has a logical explanation for that.

The last issue I want to touch on, Mr. Minister, before I go into my motion that I've served all members with a copy of, is the question of the noise within the bars and the nightclubs. I use that as an illustration of a situation where the response that should have been there was not there, an example of where a government department failed, did not show the required responsiveness, did not fulfill its responsibility. If we look at the history of that bar issue, it was very, very interesting. When the first article appeared in the Journal, the response to it was very, very negative. That went on on a number of occasions until it became quite apparent as these two Edmonton Journal reporters - and they're to be given credit - continued their series. That pressure continued to build, and they weren't going to give up. Finally, the minister realized that he couldn't sit back, that this issue wasn't going to go away. So he directed his department, eventually, to take some action. The end result, I guess, is good, but it shouldn't have had to go through that particular series of events. The responsiveness should have been there right off the bat. Even better than that - but we're all human, we all make mistakes - the problem should have been corrected before the Journal had to point out there was a problem. Even though that wasn't done, once the Journal pointed out that there was a problem, the department should have responded to it immediately. The minister should have directed an immediate response. Steps should have been taken to correct it.

I guess the good news out of the whole bit is that those two individuals have been nominated for some prestigious work for the good they have done in accomplishing something that the minister was not able to accomplish without that pressure being applied on him.

Now, Mr. Chairman, let me conclude by moving my motion.

Amalgamation of Responsibilities

Moved by Mr. Wickman:

Be it resolved that the Committee of Supply recommend in its report to the Assembly the amalgamation of the department responsible for Occupational Health and Safety services and the Workers' Compensation Board with the Department of Labour.

MR. WICKMAN: Mr. Chairman, I'll speak to that motion at a later period of time in the evening. I do it that way so I can allow other Members of the Legislative Assembly to speak to it if they choose to.

On that particular note, for now I'll conclude, Mr. Chairman.

MR. DEPUTY CHAIRMAN: The Member for Cypress-Redcliff, if he's present. Sorry for that remark.

MR. HYLAND: Mr. Chairman, my initial words were for the main thing, not the motion.

MR. DEPUTY CHAIRMAN: I think this is probably "Order" for the Chairman as well. I was momentarily engaged in conversation here.

I understand that the Member for Edmonton-Whitemud has introduced an amendment, which is in order and which he – thank you – had circulated to the Assembly ahead of time.

I would recognize the Member for Edmonton-Belmont.

MR. SIGURDSON: Just very briefly, Mr. Chairman; thank you. In speaking to the motion that's been proposed by the Member for Edmonton-Whitemud, it would be the intent of the New Democrat caucus to support a motion such as this. We have on numerous occasions in this Legislative Assembly stated that we've long held the opinion that the size of the cabinet has been far too large. Therefore, any attempt to reduce the size without reducing the effectiveness of the department's delivery of service would most certainly find favour with us. So, therefore, Mr. Chairman, just to indicate to the Member for Edmonton-Whitemud, we do indeed support the amendment.

9:20

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Meadowlark.

MR. MITCHELL: Thank you, Mr. Chairman. I would like to speak in favour of the motion and begin by thanking the New Democratic caucus for their support.

I would argue in favour of this motion on two points. One is that is makes good sense from an efficiency/productivity point of view. It is well known that this government has a huge cabinet, that governments in other provinces have made dramatic moves to reduce the size of their cabinets. The Premier will argue that, well, we want politicians making decisions and not bureaucrats. Given that he has a government of 35,000 bureaucrats, it seems to me that whether he has 17 politicians making decisions or 26 politicians making decisions doesn't really make all that much difference. In fact, it might well be that if he had 17 of his best cabinet ministers making more of the decisions being made currently by nine of his worst cabinet ministers, he might even have greater and better control by elected officials than he has now. What I know for sure, Mr. Chairman, is that if you have fewer people in those positions thrashing around trying to spend money, arguing with one another about how much they can spend and what they should spend and how priorities should be set, it is inevitable and inexorable that you will spend less money if you have fewer of them.

There are some obvious savings immediately if we would combine this department with the Department of Labour. We would save duplication in certain services, certainly duplication in the amount of money we pay two cabinet ministers instead of one. We would see duplications of certain divisions of the two departments that could be collapsed over time. We would see greater efficiency, greater productivity, greater co-ordination of responsibilities that are not dissimilar or unconnected, as their division between two departments might otherwise suggest.

Mr. Chairman, it seems to me that this is, in fact, an obvious initiative for that reason. There's a second reason, and that is that I believe there are strong reasons why these two departments, Labour and Occupational Health and Safety, in particular should be combined. As I said briefly earlier, it is not as though their activities are unrelated. The Workers' Compensation Board in its efforts handles and deals with one of the overwhelming concerns of Labour, and it is almost incomprehensible that this particular responsibility should be excluded from the Department of Labour.

So, Mr. Chairman, for those two reasons – one, you're going to save money, and two, it's going to be more efficient – there are strong organizational reasons why the productivity, the effectiveness of that department could be enhanced through an amalgamation with the Department of Labour.

I know that it's going to be difficult to ask these Conservatives to change in any respect and, therefore, to support this motion. I would ask them to do that, however, and as a fallback position I would ask them to talk with the Premier, who has such a glib and superficial response, a nonanalytical response to any suggestion that he would reduce the number of cabinet ministers. His idea is that somehow we need more politicians making more decisions. I would ask them, if they can screw up the courage to do it, to actually sit down and disagree with the Premier and prevail upon him to bring in a program of reducing the size of cabinet so that we can have greater effectiveness, greater efficiency, and reduce the costs of this government, which, as we all know, are in fact runaway.

MR. HYLAND: Mr. Chairman, speaking on the amendment, I find it interesting that we've listened tonight to a number of comments about problems with the Workers' Compensation Board, with getting to the compensation board, with the minister and his access to the board. We've heard probably an hour of that tonight. Then we get a motion that says to do away with the minister, do away with the department, roll it into another big department, and from parties that say they represent the worker. Deny the worker access is what they're saying. They want to deny the worker access to the board, to the minister. They want to roll it off in a big department, a board that's paid for – what? – 50, 60 percent or more by the worker and the employer. They pay for the operation of the board.

Mr. Chairman, I find this very interesting, and I think what we should do with this motion - I would move that we now vote on the amendment so we can get on with the main estimates.

MR. DEPUTY CHAIRMAN: One moment, please, if you would, for the Chair.

I'm just checking. Do I understand that the Member for Cypress-Redcliff has moved to adjourn debate?

SOME HON. MEMBERS: No.

MR. DEPUTY CHAIRMAN: Pardon me. To close debate on the amendment?

MR. HYLAND: Yes, that's what I thought I was doing.

MR. DEPUTY CHAIRMAN: Hopefully for the benefit of hon. members here this evening in committee, under the rules, debate now continues on the hon. member's motion.

MR. WICKMAN: Mr. Chairman, to close debate on the motion . . .

MR. DEPUTY CHAIRMAN: Hon. member, we have now . . .

MR. WICKMAN: On the amendment, yes; on the amendment was my motion. An amendment of the main motion. To close debate on the amendment, Mr. Chairman . . .

MR. DEPUTY CHAIRMAN: Hon. member, order please. I realize that we are this evening into a bit of unusual and technical matter, but the Member for Cypress-Redcliff has made a motion to close debate on this particular amendment. It is in order. The merits of that particular motion are now open to debate for all parties in the Assembly. For that purpose I recognize the Member for Edmonton-Whitemud.

MR. WICKMAN: Thank you, Mr. Chairman. I find it very, very tacky that a member would attempt to close debate without even giving the person that moved that amendment the opportunity to respond to it. There is one thing, you know, but maybe I expect this from Jim and his gang over there. You know, that's a government that doesn't believe in freedom of information; just muzzle us all, muzzle us. You're only going to get away with it for so long, guys, and it isn't going to work, but if that's the way you want to play this, play it that way. The public out there keep an eye on what's happening, and they don't like the type of muzzling tactics that are used, but go to it.

MR. DEPUTY CHAIRMAN: Any further discussion on the motion to close debate on the amendment?

SOME HON. MEMBERS: Question.

MR. DEPUTY CHAIRMAN: The question has been called. All those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. DEPUTY CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

9:30

MR. DEPUTY CHAIRMAN: The motion is carried.

We are then moving to vote on the amendment that is before the House. [interjections] Order please.

[Motion lost]

Occupational Health and Safety, Workers' Compensation Board, and Public Safety Services (continued)

MR. DEPUTY CHAIRMAN: Order please. The minister of Occupational Health and Safety.

MR. TRYNCHY: Thank you, Mr. Chairman. In responding to the comments made from the Member for Edmonton-Whitemud, I too support the retraining of workers, and I'm glad to have his support. I've been to that rehab centre; it's working well, and we can do more.

He suggested he receives four to five complaints a day, and he has no help from the minister. Well, I wish he would send those people to me. Now, I've seen some 5,000 people in my three years: in my office, by telephone, or by letter. I tell these people as they come in that if the Workers' Compensation Board errs, that error will be corrected. If we can't help you, you're in the wrong office. Now, I don't know what he tells these people, but send them to me if you get four or five a day. Let me have a chat with them, and they won't say that it's no use. I'll at least give them an answer, if you can't. So do that, please. [interjections] I'd like to continue, Mr. Chairman.

MR. DEPUTY CHAIRMAN: The Chair would like you to continue too.

MR. TRYNCHY: The Member for Edmonton-Whitemud talks about some amendments, phantom amendments. I don't know what he's talking about, but if I was him, I'd roll them up and put them in the garbage pail right below your desk. Would you, please? Until we see the real amendments, don't consider those.

He talked about phone tapping and why was it done. I asked the people at the Workers' Compensation Board, and it was done for the purpose of improving the system. I support anything that the Workers' Compensation Board will do that is legal, that is right, that is just, and that is fair which will improve the system. That phone tapping was done with the consent of the caller. In one case, the person answering the phone forgot to advise the person. But if the Workers' Compensation Board can put policies in place, whatever they are, to improve the system, every member in this Assembly should support it. And if you don't want the phone tapped while you're calling, you say no.

He talked about the labour/industry task force, and yes, I met with Dr. Horowitz yesterday morning. They've now met with four workers. They hope to meet with a number of workers throughout the summer and hope they'll have the report done sometime this fall.

He asked about the window of opportunity program and what is the cost. Well, if the hon. member listened last year, and I'll say it again, there is no cost to the window of opportunity program. What it does is that you stay at today's assessment for two years, and if you fulfill your commitment of injury reduction, you stay at that rate. If you don't, you pick up and pay a penalty, and you pay the assessment of what you don't do. So there is no cost until the two years are up, and at that time it'll cost nothing, because if they haven't contributed in a fair way to injury reduction, they will not get the reduction in assessment and will pay the additional cost.

Yes, we've had some cheque delays. When the computer was down, cheques were handwritten to ensure workers were paid, and we did that as quickly as possible.

He talks about layoffs anticipated. Well, there are none that I know of. As a matter of fact, administration costs have increased from \$88 million last year to \$104 million, and that's people. That's people that were brought on to do the job. So there are no layoffs; \$88 million to \$104 million because of more efficiency. So we've done that.

Yes, I've got the document about "WCB battle looms in Alberta" and that, of course, again is not factual. I don't know where they're getting that from. Until we see the amendments, we should disregard that, because there are no amendments. There's no suggestion that this is going to happen until we see them. So until we see them, we should just hang tough. He talks about the partnership program and is it any good. Well, it's working, Mr. Chairman, and at present there's been an injury reduction of approximately 50 percent. I'll give you some facts and figures. In the road building industry there are 59 participants, with a 49 percent reduction in claims. Roofing: 85 participants; a 27 percent reduction. Meat packing: 8 participants; a 19 percent reduction. Oil well servicing: 49 participants; they had a slight increase in claims. Forestry: 29 participants; a 5 percent reduction. The cities: now 13 of them are participating in a new program, and we have no results for them, but it is working.

He talked about the Hinton fuel and that nobody would do anything about it. I'm amazed. We had a thorough, thorough investigation by the RCMP, and now he's saying the RCMP didn't do their job. I'm surprised. The AG took on upon himself to do a complete review of everything on the Hinton fuel contamination, and there was no conclusion. So that was done thoroughly, cleanly, and of course we couldn't find the answers. [interjection]

Now, just a minute. If you want to condemn the RCMP, say so. They did the investigation, and there were no results. [interjections]

MR. DEPUTY CHAIRMAN: Order please. Order. [interjection] Order please, hon. minister. If some hon. members wish to have private conversations, I would invite them to leave the Chamber and so do, and that applies to all sides of the House.

The minister of Occupational Health and Safety has the floor. Please proceed.

MR. TRYNCHY: Thank you. He asked a question about Prospec Chemicals in Fort Saskatchewan. Yes, we're aware of it. We've been meeting with them. They do hold safety meetings. Environment has been involved. We're on to it. We'll be looking at more investigations, and if they don't clean up their act, if I can put it in plain English, we will close them down. This says that if the plant does not meet environmental standards, then it will have to be closed down. That will put 18 workers out of a job, but we're working closely with all parties, and hopefully we can get that resolved.

He then goes on to say that we have a reduction in the budget. Well, what we've done, Mr. Chairman, is had more efficiency within our system. We've been able to do more with less. We talk about being efficient, responding to less dollars, working better and smarter, not harder, and we're doing that. So it's efficiency in the budget. That's the response to that concern.

Mr. Chairman, I believe that's all the questions from the Member for Edmonton-Whitemud, and I think I've answered them all.

MR. DEPUTY CHAIRMAN: The Member for Cypress-Redcliff.

MR. HYLAND: Thank you, Mr. Chairman. I want to address some brief comments this evening to the minister on his responsibilities related to Public Safety Services and ask the minister to get the public safety division looking at the possibility of assistance in a co-ordinated effort, like they often do and do well, related to the lack of runoff in southeastern Alberta this year. There is a severe problem not only with lack of moisture but lack of runoff. For all intents and purposes, the runoff in the major part of my constituency this spring was zero. So we have some pumping programs needed to serve towns and villages to get water, especially water for fire protection, and also for other livestock operations in need of the movement of water either by pipeline, temporary or permanent, or through some of the various methods that have been used in the drought assistance program in northeastern Alberta for the movement of water. I would hope the minister – and perhaps, knowing those in Alberta public safety, knowing the top management of that team, they may well have some answers already. Knowing them, they have probably been looking at it. I would ask that the minister maybe put a little more pressure on them to come up with some alternatives that we are going to have to deal with, I think, in the near future.

Thank you.

MR. DEPUTY CHAIRMAN: Hon. minister, followed by Edmonton-Beverly.

MR. TRYNCHY: I'll quickly respond to that. A very good question from the Member for Cypress-Redcliff, and I would ask the members of my team in regards to disaster services just what we can do for the water shortage in southeastern Alberta. It's a new job that I've inherited. I'm not sure just how we do it, but I'm sure we'd have to work along with Agriculture. I will get the message back to you as quickly as I can.

9:40

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Beverly.

MR. EWASIUK: Thank you, Mr. Chairman. I'm also pleased to be able to rise this evening and speak to the estimates of Occupational Health and Safety, Workers' Compensation Board, and disaster services. First of all, I too want to extend a welcome to the staff that are here this evening listening to our debate and our comments. I'd like to add to some of that debate and to some of those comments.

[Mr. Moore in the Chair]

I believe that since my introduction to this Legislature and in dealing with the Workers' Compensation Board since 1986 – while I'm sure there's always room for criticism, I do want to say that I think there has been a fair amount of improvement in the operations of the board. I do think they've expedited some of the process and there's some improvement. However, having said that, I also want to make some suggestions and some recommendations to the minister that may be considered, particularly by the Workers' Compensation Board.

I reviewed the mission statement of the board, and while I think the statement itself is certainly a worthy one and it speaks of treating the holistic person, I'm not sure how the board interprets "holistic person." In my experience in dealing with injured workers, I therefore feel that while the board makes reference to dealing with the whole person, they do fall short in a number of areas, particularly with individuals who have suffered an injury and who for some reason or other cannot return to their former employment and therefore need to seek employment in some other area, some other field, and also with individuals who, because of an injury, have now developed a psychological problem, an emotional problem that they're having difficulty dealing with. Now, I realize that the board under the local rehabilitation department does provide some help in that area, but if there's a lacking in the board, in my opinion it's that area.

I want to perhaps bring to light a specific case that I have in mind that deals with a worker who is now 58 years old. He was injured back in 1979, I believe. His injury was to his head when he fell off some scaffolding in a housing construction project. He hurt his head and his shoulder. As a result of the injury, at least

in his assumption, he feels that he also lost his hearing, a partial hearing loss which has now worsened with time. The loss of his hearing has had a major impact on him, to the extent that he now almost resists going into a workplace. Because he can't hear, he feels that his coworkers are laughing at him, joking at him, so he feels very inferior. His self-esteem has gone down substantially, to the point where, as I say, he does not want to return to his old job because of that. I think this individual needs a lot of work to be able to restore his self-esteem, restore his ability to cope with his injury and the effect of the results of his injury in order that he could get back into the work force. He's a young man who wants to go back to work, but he's having difficulty coping with that. I feel that the board at this time has not been able to or for some reason has not addressed that particular issue, hasn't gone to that extent to meet those kinds of problems. I would recommend and suggest that perhaps we look at dealing with the holistic person, whatever that is, to cope with those kinds of problems.

I think many of the people that have demonstrated here and demonstrated by the WCB Building are people perhaps in that category, who are very fine people but need to take it another step somewhere down the road. I don't know where, but I'm assuming experts in our department at the Workers' Comp can find and deal with that issue. I understand we have some very good psychologists working in the department, and I guess I wonder if we have enough of them. More importantly, I don't think the board itself has yet addressed that issue, to deal with those kinds of people. I throw that out as a suggestion.

Another area I think needs to be addressed – and it is to some degree now being addressed – is the issue of pain. I know it's very difficult to define and in fact agree that there is pain, but I think we have too many – at least I've dealt with too many – individuals who insist they have pain, and it's not recognized. A doctor can't identify pain, so it's very difficult for a doctor to submit a report to WCB saying that yes, this individual is in pain. Again, I think we have to somehow come to address that issue. I don't know how, but I suggest we have people in the field. We are, of course, I understand, working on that particular area.

I want to also raise the issue – it happened to me this morning, Mr. Minister, and again I'm not suggesting to lay any blame here. I had an individual who came to my office – and this has happened, I think, more than once, Mr. Minister – who is on the lost-time supplement. In February of this year he was advised by the board that his supplement was being discontinued, and not because he had reached a wage that would call for that discontinuation but because, as I understand it – and I'm still dealing with this – there was a requirement for additional medical evidence to substantiate the continuation of the wage-loss supplement.

What concerned me was that he got a letter, was told his benefits were being discontinued, and was advised when he requested why this was happening that if he disagreed with it, he should appeal it. In the meantime, a medical assessment has been requested for this individual. He has yet to hear from the board when he is going to receive this particular assessment. In the meantime, he's lost the wage loss supplement. I think it's totally wrong that we would have a benefit discontinued subject to a review taking place; in this case, a medical assessment. It seems to me that if he required an assessment, I think we should have proceeded with the assessment and made the discontinuation of the benefit after that was concluded. In fact perhaps it may have not been concluded because medically it may have been found that he still required to continue with the lost-wage supplement. So I think there are still areas in the board that need some finetuning and refining, and these are some of the areas that I personally have been involved with and that I feel should be done.

My final comment, Mr. Chairman – and the minister knows about this one; we've talked and exchanged some communications on it – is the services of a file review in our constituency offices. I've got around to this one. I basically accepted the fact that it's not going to happen in my office, but I would again like to make the pitch that that be reconsidered in spite of our conversations and our meetings that we've had. I feel that was a very valuable assistance we were receiving from the board not only for me, who represents workers at appeals, but also to the injured workers. I think they felt quite comfortable. They could come to our office, meet someone from WCB, go to the file, and help in preparation for an appeal. That was a good exercise. I understand there are problems with it, and I'm prepared to deal with it, but I would like that perhaps reconsidered again if it's possible, Mr. Minister.

9:50

I also just want to comment on the Appeals Commission. Again, we seem to go there quite regularly. We don't always win, unfortunately, but I do want to let you know that I feel the people serving on the Appeals Commission are quite competent people. They do a good service. As I say, I would like to be able to win the cases that we go there with, but I think the latitude and the kind of communication that develops with the commission and us representing injured workers before them have given us reason to be quite satisfied with the kind of work they're doing.

I notice that Mr. Sam Lee was in the galleries earlier; he's gone. He's a longtime member of the labour movement. I think he, among others who are serving on the commission, is doing a good job there.

MR. ACTING DEPUTY CHAIRMAN: Mr. Minister.

MR. TRYNCHY: Thank you, Mr. Chairman. I appreciate the comments from the Member for Edmonton-Beverly. I might say that he's only the second member of the ND Party who's been in my office with workers, and I appreciate him coming. He brings them to me, and we talk about them. We do what we can, and we continue on.

He talks about pain and stress claims. That's a difficult one, because compensation now, as I know it in Alberta, unless we change it, is for injury, broken bones. That's how it started, and I guess that's what the Workers' Compensation Board is asking as they travel the province. Do we have to have new legislation? I guess we'll have to wait till they bring in their recommendations. I get them every day, people in stress because of an injury that's been there since 10, 15, 20 years ago, and it's working on them. I appreciate what you're saying, and my heart goes out to them. But if the policy is such that we can't do it now, then that's what this is all about, to see what's going on.

You talked about the injured worker who has a hearing problem. Maybe you and I, sir, and the injured worker could get together, and we'll see what we can do. We do have several psychologists on staff, as well as a crisis intervention team. We also contract out services to workers who don't want to go to our people, so if we know about it, I think we could provide the service. So would you get that to me if you can? I will do that for you. Send me a note on who the person is, and we'll go from there.

You talked about reviewing files in your constituency office. I know that worked well, but it gave us a difficulty because it was only available to those in Edmonton. The Member for Drumheller or Pincher Creek-Crowsnest or Peace River couldn't get that service. My understanding from the board – they have to look at it, and that's something that I've changed. It's the board policy that now you can go with that worker to the compensation office. They have their offices here. It's a very short drive, and you can represent them there. I hope you would do that, because the members that travel from far away do not have the same opportunity. I don't think it's fair that they're deprived of that when we provide it here. So the compensation board, I think, has acted quite fairly in that regard.

I talked about winning appeals. I'd like to see everyone win their appeal, but the Appeals Commission is independent. It has members from labour, industry, and the public sector. They're independent. They don't answer to me. They don't answer to anybody. The only recourse after that is the Ombudsman. They take all the documentation that's available, all the medical evidence that's available, and they weigh their judgment there. It would be nice if we didn't have to have an Appeals Commission, that everything would be done beforehand, but such is not the case. So that is one of the things we have to live with.

Now, there's another concern that I have with all the members of this Assembly. They receive many, many calls to their offices and all that. I wish that if you can't send those people to my office, give me their names. Say, "Joe so and so was in my office, and he's got a concern." I'll bring the file out to my office. We'll review it, and we'll get back to you and say, "Can we do something?" I just don't send it over there. I ask for the file. I review all these. I've reviewed thousands of them, and some I've reviewed four or five times, and that's a fact. I'd like to help, if you'd just give me the names. You don't have to send them to me if that's a problem. If that makes too much work for you, just put down on your sheet of paper: "I got four people today. Their names are such and such. Four people tomorrow: their names are such and such." Send it over to me. I'll review their files and get back to you so you can answer those people directly and say: "Look; we've sent it to the minister. Here's the response. Here are some avenues you can go through." I'll investigate thoroughly. To all members of the Assembly: do that if you can.

Mr. Chairman, I believe that answers the questions for the Member for Edmonton-Beverly, some good concerns. I'd like to work with him in regard to the person he mentioned. To the rest: if you can get the names to me, I'll review their files and get back to you personally so you can answer to that person that you either got it from the minister or the minister got it from the board back to them through you.

Thank you.

MR. ACTING DEPUTY CHAIRMAN: Wainwright.

MR. FISCHER: Thanks, Mr. Chairman. I just have a few words of information and a question or two I'd like to ask the minister. First of all, I'd like to make a comment about the motion the Member for Edmonton-Whitemud made. I guess he can't remember back just a very few years, when there didn't seem to be very much direction, before it was separated into a full-fledged department. Certainly an awful lot of improvement has gone on since that time. Yes, there are still more places we can improve on, but I guess that's the way our system works. You don't get it all done in one day. I would like to commend the minister and his department on the good job they've done in the last two or three years. I have noticed quite a difference in my constituency.

I would like to just say a word or two about the Syncrude project up there – because I've had a bit to do with that the last couple of years – and their safety performance record. The

Syncrude employees, of which there are about 4,600 plus anywhere from 1,000 to 1,500 contract employees, have an injury frequency record of 1.16 in the first quarter of 1992. This was up from the last quarter of 1991, but still this level was considered to be almost impossible a few years back. I would have to say that this particular level has probably not been matched by any comparable industry in this province. I can tell you that this doesn't happen all by itself. It happens through some of the suggestions that have come from the department, but more than anything it has happened because of management caring enough and putting in the resources and the training programs and the dollars to make it happen and to educate each one of those employees. They spend many, many hours in safety prevention. I know that never a board meeting goes by without serious discussion on how they've done with their safety performance and how they can improve on it.

I also would like to make a little suggestion, if I might, about the Syncrude record of performance. Maybe you could encourage some of the other industries that have had a lot higher safety record to take on some of the things they do up there to prevent some of the serious injuries that we have in this province.

10:00

One thing that I have had: we always get people with sore backs. Sore backs are a very difficult thing for doctors and a very difficult thing for patients. Sometimes the people will come in to me and tell me about all their troubles. I know that they have a certain objective in mind when they come, but I believe before they get to the appeal board even, there needs to be a little bit more communication between the patient and the doctors, if you like. So many of the patients come out and they either don't understand what the doctor has told them or sometimes the doctor hasn't told them. Quite often you can't understand doctors' writing. Sometimes they don't communicate back to those people, and I think that there can be some improvement there.

I believe that's about all I've got to say. Thank you.

MR. TRYNCHY: Mr. Chairman, I'd just like to respond to that because it's so important. The Member for Wainwright is so right that Syncrude has one of the lowest percentage injury rates in the province. They're now at 1.16. Last year they were at .096, and the provincial average this year in 1992 is 4.2 percent, but we've improved, because just a few years ago it was 5.3 percent across the province. So they show leadership in having an injury rate of 1 percent.

The member talked about injured backs, and yes, that has given us a lot of difficulty because doctors say injured backs are hard to diagnose. Right now, if my information is correct, injury to backs is crowding about 30 percent of our total claims. It's getting very serious, and whether it's the working conditions or whether it's our own bodies that are weaker, that's where it's at, and it's unfortunate. So, yes, if we all work together as Syncrude has with employers/employees and if every employer took the same caution and consideration with their workers, we could reduce from 4.2 further down. Hopefully that's what will happen by all of us working together.

Thank you.

MR. GOGO: Mr. Chairman, I move the committee rise, report progress, and beg leave to sit again.

[Motion carried]

[Mr. Jonson in the Chair]

MR. MOORE: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions of the Department of the Executive Council, reports progress thereon, and requests leave to sit again.

Vote 6, Disaster Services and Dangerous Goods Control; vote 12, Occupational Health and Safety Services; and vote 13, Workers' Compensation Board.

[Mr. Speaker in the Chair]

MR. SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.

MR. GOGO: Mr. Speaker, by way of information tomorrow we will continue in Committee of Supply, dealing with the Department of Career Development and Employment.

[At 10:04 p.m. the Assembly adjourned to Friday at 10:00 a.m.]