

Legislative Assembly of Alberta

Title: **Wednesday, March 13, 2002**

8:00 p.m.

Date: 2002/03/13

[Mr. Shariff in the chair]

THE ACTING SPEAKER: Please be seated.

head: **Government Bills and Orders**
Third Reading

Bill 12
Education Services Settlement Act

[Debate adjourned March 13]

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm very pleased to rise to oppose once again on third reading this travesty of a bill, Bill 12. This is a sad day for democracy in Alberta. This is a time, I think, when the Legislature stands on the cusp of making a mistake, a serious error that may well affect children, teachers, families, and labour relations in this province for many years to come. The fallout from this bill may extend over years and years and affect people in ways that the government doesn't even imagine.

The government has now brought forward Bill 11, and we know what that contained. Now we've got Bill 12. We can only shudder to think what Bill 13 will be in a year or two. The ability of this government to tear at the social fabric of this province is only limited by their ability to count. Let us hope that they cannot count past 13 or 14. Mr. Speaker, we have heard time and time again – 12, 13, 14. Each time the damage is greater.

I've listened with interest to government ministers and the Premier as they fall into their message box when they're challenged on this bill, when they've been challenged on their handling of the teachers' dispute from the beginning, going back a year ago to the budget where the 4 and 2, commonly referred to by the government as 6 because they can add but not that well, set the stage for this confrontation. But the government has gone into its message box time and time again in other ways.

The big message now that is repeated over and over by this government is that the government is doing this for the students, that the students come first. Oh, in fact, I believe that many hon. members opposite actually believe it, because it has been repeated so many times. But is that really going to be the case, Mr. Speaker? Is it really for the students? If it were for the students, then this government would not have cut 10 years ago so dramatically and deeply into our education system, to the point where we're still trying to fix the problem today. If it were really for the students, the government would have resolved issues relative to education long ago and not waited until they are forced to do so by a strike and then set up another committee to deal with it.

If the government were serious about students, they would have provided more funding for teachers and worked through the process that exists to resolve these disputes without letting it get to a teachers' strike which was unprecedented in its scale and its scope in this history of this province. Mr. Speaker, there has never been a provincewide teachers' strike of the nature that we have seen in this province. If the government were serious about students, they would have resolved these issues long ago as they went along. [interjection] There's one less. Perhaps if we keep going, we'll have a majority on this side.

Mr. Speaker, the government's message box is false. It's a false box. It's a logic box, not a message box. The other message box that this government is talking about – and we've heard this repeatedly from the minister and from the Premier in answer to questions – is that we are only doing what the ATA wants, what the ATA asked us to do. Well now, Mr. Speaker, I happened to pull up the web site of the Alberta Teachers' Association right here, and I have some interesting quotes from the president of the ATA.

One week ago teachers offered the premier a positive solution to the crisis facing public education . . . We did not seek any guarantees or set any preconditions. All we asked for was a fair, open and independent arbitration process based on the model established by the government in the February 21 back-to-work orders. Instead, the government has colluded with the Alberta School Boards' Association to bring forward Bill 12.

The Alberta Teachers' Association has clearly refuted the claims of the Premier and the minister and other members of the government and the government caucus that the teachers are simply getting what they asked for.

Now, another message box that this government has been defending and falling into is that issues other than wages will be considered in the education review. Mr. Speaker, you have to ask why it took the teachers' strike for the government to finally decide that they want to create some sort of blue-ribbon commission, some sort of panel in order to study the problems facing education.

I was first elected in the by-election in the year 2000, and at that time the issues around education were very, very pronounced in that debate. As I went door-to-door, Mr. Speaker, people were telling me and they were saying to the Conservative candidate and to the Liberal candidate as well that their children were not receiving the kind of education they felt they deserved. You had many classrooms where you mixed students who had special needs, yet the supports weren't there for the teachers. There was disruption that affected all of the children in the classroom, not because of integration of special-needs students but because the staff support simply wasn't there.

I can tell you, Mr. Speaker, as a father paying some attention to my son's homework in grade 9, that when I ask him to bring home textbooks, for the majority of courses they do not have their own textbook. They have a limited number of textbooks that must stay in the classroom. When I attended school and, I'm sure, when most members attended school, that was not the case in junior high. Every student was issued their own textbook that they could take home.

So there's a clear deterioration, Mr. Speaker, and we've heard as well the minister say in the past that nobody has to do fund-raising for essentials. We know from our own people that we talk to, our own constituents, that that's not so. The question remains, though, why parents have to do fund-raising at all for their education, why they have to do it at all. That's a question that I think needs to be raised: why parents are working bingos, why they're working casinos at all in order to pay for their education and to make up for the neglect of this government.

Now, we believe that this bill represents a clear abuse of the government's power. The provisions of the bill establish a biased arbitration tribunal. It restricts the arbitration to salaries only. It limits the salaries that can be paid to what the school boards can afford, thereby getting the government off the hook for any further financing. It suspends teachers' right to strike. It prohibits slow-downs. It affects 48 school boards, although only 22 were struck by job action. The government has short-circuited debate at every stage by imposing or threatening to impose closure. It imposes a B.C.-style contract that strips the rights that were previously bargained

for. It imposes punitive sanctions against the ATA. The government has misrepresented the ATA position. It protects the government from having to present evidence as to the facts and reports that were taken into account in making decisions. And it gives the Labour Relations Board potential clout over the collection of dues.

Mr. Speaker, in every respect this is a punitive and unacceptable bill and one which New Democrats strongly oppose and will continue to oppose. We support the action of the teachers against the bill and of the public against the bill, Mr. Speaker, and we oppose this bill. We believe that this marks a severe deterioration not just in labour relations but a severe downturn in the democratic process in this province.

8:10

Mr. Speaker, this government has had too much power for too long to remain modest, to remain restrained in its use of power, to remain in touch with the people. The government is arrogant, too powerful, and it is misusing its power to take away the rights of our citizens. It's not just a question of the government's neglect of education. It is as well an attack on what we consider to be basic civil rights of individuals, and that is the right to bargain collectively in our society, which we believe on this side and in our party to be every bit as fundamental a civil right as some members on the other side consider the right to property to be. That is why our party has taken such a strong exception to this bill. This bill cuts at the very core of our values, and we will continue to fight against this kind of very, very unacceptable intrusion into the rights of people that we represent.

Mr. Speaker, I want to give the House the benefit of a few more quotes from wise people, and I know that the hon. Member for Edmonton-Castle Downs will be careful before he again confuses the words of the Holy Father with Joseph Stalin. I want to start with a well-known quote by Wendell Phillips: "Eternal vigilance is the price of liberty." Mohandas Gandhi said: "Civil disobedience is the assertion of a right which law should give but which it denies." I also want to quote from Eugene Debs, a very famous labour leader in the United States in the late 1800s. He said:

The strike is the weapon of the oppressed, of men capable of appreciating justice and having the courage to resist wrong and contend for principle. The nation had for its cornerstone a strike, and while arrogant injustice throws down the gauntlet and challenges the right to conflict, strikes will come, come by virtue of irrevocable laws, destined to have a wider sweep and greater power as men advance in intelligence and independence.

Mr. Speaker, one of my very favourite quotes is from the Reverend Martin Niemoller, who was imprisoned in Germany during the Second World War. Before I finish with that quote, I was looking also on the web about the history of Martin Niemoller. When he was arrested, he was brought into jail – and he was a pastor, a Lutheran pastor – and there was another pastor, the prison chaplain, who met him there. He knew that this person was a stooge for the Nazis. This person asked him: Reverend Niemoller, what are you doing in prison? And what he said in response was: what are you doing out of prison?

Mr. Speaker, the famous quote.

First they came for the Communists, but I was not a Communist so I did not speak out. Then they came for the Socialists and the Trade Unionists, but I was neither, so I did not speak out. Then they came for the Jews, but I was not a Jew so I did not speak out. And when they came for me, there was no one left to speak out for me.

Mr. Speaker, we stand with the teachers. We stand with the children of this province against the arbitrary enforcement of unjust laws in this province by this government that's been in power too long.

Thank you.

THE ACTING SPEAKER: Hon. members, Standing Order 29: five minutes for questions and comments.

We'll resume debate. The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you very much, Mr. Speaker. It's indeed a pleasure to stand and speak to Bill 12 in third reading. I think that it's probably good to start with a small recap of why we're here at all with respect to this bill. We have to remember that not so very long ago we had well over 300,000 children that were not receiving their education and 21,000-plus teachers who were not teaching. From that point, of course, there was an attempt to declare an emergency, which was not successful. Then an agreement was discussed with respect to the meeting that took place between the ATA's Mr. Booi and the Premier as well as the Minister of Learning and the Minister of Human Resources and Employment.

I think it's important to probably go back and look at some of the things that were said at that time, because I believe that the comments of Mr. Booi are instructional.

We never thought that this year's contract would resolve the really difficult situations that have driven 21,000 teachers to strike. We know it's going to take a good hard look at the problems, and if we have a good close look at the problems we'll probably start to see some of the solutions down the road.

Mr. Speaker, that's exactly what the preamble in this bill essentially does. It provides hope to in fact identify and solve some of these long-standing difficulties. That quote was, by the way, from the *Edmonton Journal* on March 5.

The other side of this issue, and there always is another side, is that we have a union and we have an employer. In this case we have an association called the ASBA, that represents all of the employers. The ASBA specifically requested that classroom conditions not be included in the binding arbitration. Now, why do we suppose the ASBA didn't want those conditions to be in the terms of reference for binding arbitration? Well, because they know that this is not really about class size. It's really about the ability to manage and the control that a contract can have with respect to their ability to manage and do the best for the children, which they're elected to do.

The school boards are elected to manage; the ATA is not. School boards are responsible to their electorate; the ATA is not. I think that when you look at section 23 of this bill, you see that the exclusions from all of this are number of students, pupil/teacher ratios, and maximum time in a classroom. Those are exactly the conditions that, in my opinion, have led the board that I certainly understand and am closest to with respect to having done a fair bit of work with them over the last eight or nine years – and that's Calgary public. Calgary public is the only board that has a structural deficit. I say "structural" because I don't believe that with those kinds of contract laws as are in their contract, they would ever get out from under a deficit.

The result of in fact bringing all of these working conditions into contracts would be to have all of the other boards have structural deficits because they no longer have the prerogative to manage their staff. I'll give you an example. What organization can operate if the union tells them, number one, how many people they must hire; number two, where they can use them; how many they can transfer where they're needed in a given year; and the number of hours of work? If your client is going to be there 25 hours, but you decide that you're going to work 23, how does that work in real life? Well, what it means is that you have to hire one and one-eighth teacher per classroom in order to just cover the time that your client is there. So what does that do to costs?

8:20

I don't know how or when the ATA decided that all targeted

funding is projects. Now, that's an important thing to realize. I don't know who elected the ATA to make this policy decision that says that all targeted funding is projects, because what that means in reality is that AC funding, English as a Second Language funding, and special-needs funding all become projects that are not to be included in PTR. So what does that do to your costs? Well, in the case of Calgary public, by their own numbers it adds \$23 million to \$25 million a year to their costs. What could they do to class size if they could use that, if they had the freedom to manage their operation instead of intrusive clauses?

MS CARLSON: Point of order, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie on a point of order.

Point of Order Relevance

MS CARLSON: Yes, Mr. Speaker, and I quote "Relevance," page 378 of *Erskine May*. As I read this bill, it is an Education Services Settlement Act. If we take a look at page 5, "Establishment of arbitration tribunal," it specifically excludes any discussions with the exception of the negotiation of wages. I believe this hon. member is not relevant in his discussion.

THE ACTING SPEAKER: The hon. Member for Calgary-Egmont on the point of order.

MR. HERARD: Yes. I believe, Mr. Speaker, that it's entirely relevant because it speaks to the underlying reasons why the employer, the ASBA in this case, did not want to have those clauses included. In respect to the hon. member, she's quite right: they are no longer included. But I think it's relevant to know why, because the public debate that's going on out there is in fact misrepresenting the reasons. So I think it's important to have that on the record.

THE ACTING SPEAKER: On the point of order, hon. Member for Edmonton-Ellerslie, I hope that the explanation given by the hon. Member for Calgary-Egmont clarifies. As all hon. members know, the chair has been fairly lenient and allowed a wide latitude for members to contribute in this debate. So the chair does not see this as a point of order.

Debate Continued

MR. HERARD: Thank you, Mr. Speaker. I'll continue.

I think it's extremely unfortunate that we are stuck in a system of collective bargaining that essentially creates confrontation. When you look at the collective bargaining process, is it ever in the public interest to be involved in a collective bargaining process where labour always has the hammer? I want to explain that, because it's extremely important in the context of what is happening here. When you have a private-sector strike, then the people have the ability to buy their products and services from a competitor. But when you have a monopoly public-sector provider, then there is no opportunity to get those services from other providers. Therefore, all that a public-sector union has to do is essentially withdraw their services long enough to cause the electorate to kick in the ace in the hole, which is the voter, and the voter always wins. We've had that happen in this province a number of times. We can look at some of the recent strikes in health care if we want examples.

So is it ever in the public interest for a government to be in a position where that is the kind of structure that they operate under?

In my view, that's one of the issues that really has to be examined for the future. We have 40 some odd years of experience south of the border with these kinds of issues. I think it's pretty clear that the literature would say that it doesn't work, and I think that we have a very good example here as well. When you get to that stage, facts don't matter anymore, because the wild card is the voter, and when the voter says, "Fix it," the voter wins.

Mr. Speaker, as a result of Bill 12, there is going to be a substantial process held, whether it be a summit or some other process, on issues like classroom conditions, that are very complex and deserving of a full review, where expertise from all sides can provide good counsel and arrive at some good solutions. I think that that's certainly preferable to simply accepting the opinion of a vested interest, the opinion of a union who has obvious vested interests. We have to look at this in a broader context. We simply can't accept one view of where the expertise lies with respect to class sizes and some of these other issues. I don't know why it is that the ATA thinks that they are the final word or the expertise with respect to all of these issues. They are a strong vested interest. They are an interest group, and I think they need to be recognized as such.

Now, Mr. Speaker, the most gut-wrenching part of all of this is the notion that somehow the people who were elected to this Chamber do not in fact respect teachers and their profession. I had the opportunity last summer of speaking to the ATA assembly in Banff – I think it was in July or August – where I dealt with this issue. I began by telling these people that in nine years of being in this Chamber, I can honestly say that I have never, ever heard a colleague bad-mouth a teacher or the profession. I can't say the same thing for the organization that represents them. One of the challenges that I gave with respect to why it is that teachers feel undervalued and not respected is that I asked the ATA to look at a scenario where essentially you reap what you sow in this life. I challenged them to look at everything that they publish in a 12-month period and show how much of that deals with the professional side of the organization and how much of that lifts the esteem of the public with respect to teachers instead of always dealing with the union side of the equation. [some applause] It was interesting enough, because the same thing happened there. That's probably the only place that they applauded in my speech.

I believe that you must celebrate – celebrate – the successes that our teachers are having in this province. You look at some of the things that are being done in this province with respect to the good things. You know, any kind of a summit has to look at what's good with the system too, not just what's bad, and there are so many good things to celebrate. I had the honour of attending the AISI conference, which showcased a hundred of the best AISI projects: phenomenal stories of wonderful things going on in education throughout the province. We never hear about that. We need to celebrate that. Why isn't the teachers' union doing that?

8:30

So, Mr. Speaker, in talking with respect to how the profession is in fact seen by others in this province, I think it's very instructive to look at what happens when a member of the College of Physicians and Surgeons speaks or publishes anything. It is always invariably going to be something that will enhance the view of a physician in our eyes. I can't say the same thing – and I don't want to pick on them, but when the AMA speaks, it's always, you know, underfunding and queues and all sorts of operational things. Well, I think that's probably a good reason . . . [Mr. Herard's speaking time expired]

Thank you very much.

THE ACTING SPEAKER: As per Standing Order 29 we have five minutes for questions and comments. The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you very much, Mr. Speaker. I'm interested that the hon. member asked the question: why do you never hear any good things about the education system from the Alberta Teachers' Association? I just happen to have their web site on the computer. It encourages high schools to feature a public education theme at graduations, asks school-based administrators to spread the message about public education at school councils in their communities. They want the teachers to join the Chamber of Commerce. Why doesn't the member actually look at what they're saying?

MR. HERARD: Well, thank you. Thank you so much for pointing that out. I guess it might have done some good. Back in July I don't know that you could have found those things, but certainly I appreciate any good word that the ATA does publish with respect to the profession, because to have an association that counsels kids not to go into education as a career I think is absolutely damning.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar with a question.

MR. MacDONALD: Yes, please, Mr. Speaker. To the hon. Member for Calgary-Egmont. In the speech that I just heard, there was an indication from the hon. member that we are stuck in a system that creates confrontation, and that is our labour relations system as we know it in this province today. Could the hon. member please tell me which province in Canada has the lowest number of days lost to job action of any in the country?

MR. HERARD: I'm going to take a guess. Because in Alberta everything seems to be a little bit better than anywhere else, I would suspect that Alberta is probably the place. Yes, I do believe that we are stuck in a system that breeds adversarial relations, where you have to be 100 percent on the side of the saints or you're 100 percent on the side of the devils. That's exactly what's going on with respect to this debate in terms of education.

MR. MASON: Mr. Speaker, just a comment to add to the list of things that the ATA is doing. They're inviting teachers to host a special dinner for MLAs, a free family swim, to set up a booth to promote public education, a forum on the theme of how we can improve public education in Alberta, special activities in support of public education to take place on World Teachers' Day, the Caught You Caring program in schools such that teachers can nominate other teachers who have gone the extra mile.

THE ACTING SPEAKER: The hon. Member for Calgary-Egmont to respond.

MR. HERARD: Thank you very much. Web sites are wonderful things. The fact of the matter is that I'm sure if you were to go to the Alberta Learning web site, you'd find all sorts of wonderful things as well. But you know what? It's the actions and it's what gets published in all of the daily and weekly newspapers that affect how people feel about their careers with respect to education, and it's not the niceties of the web site.

DR. PANNU: I wonder if the hon. Member for Calgary-Egmont would retract the statements he made about the ATA now that he knows what the ATA says about public education on its web site.

MR. HERARD: I'm just really pleased that it's starting to make a difference.

THE ACTING SPEAKER: The debate resumes. The hon. Member for Edmonton-Centre. The hon. Member for Edmonton-Centre had sent me a note.

MS BLAKEMAN: Okay. Yes. I was expecting to be in line after the Member for Edmonton-Gold Bar, but I'm happy to go now if my colleague will allow that.

MR. MacDONALD: Sure.

MS BLAKEMAN: Thank you. I'm pleased to have the opportunity to rise in third reading on Bill 12, the Education Services Settlement Act, and speak on the effect of this bill. In third reading we are speaking to the anticipated effect of the bill. There are a couple of areas I'd like to cover. One is around the effect on students or the concern for students, the effect on the stability, the effect on the education commission and the expected outcome of that. Then at the end I'd like to talk a little bit about the anticipated effect on democracy.

I think one of the things that's been clear, certainly from the correspondence that I've been receiving and that I've been reading from people across the province, and this isn't restricted merely to teachers, is that they feel there is a poisoned atmosphere – a strained atmosphere is another word I've heard – that's been put in place in this province as a result of the government's choices around how Bill 12 was brought in, the accompanying parliamentary processes that have been evoked in order to put this legislation through very quickly, that that has led to a very poisoned atmosphere not only for teachers and for education but also for others in the province. I think part of this is intended to put a chill on any other unions or members of unions who were considering bringing forward any kind of protest or action or saying to the government in any way: you know, we think there need to be improvements in this system, and we're willing to stand up and ask for those improvements. I think what we've seen with the heavy-handedness here is that it is intended to put a chill on any kind of democratic discussion from members of the public or from members of other unions.

I've been interested in the number of times both on and off the record that members of the Conservatives have talked about how this is really for the students. It seems to be that the only time I hear students talked about is as a sort of defence when they find themselves being accused of being dictatorial or heavy-handed around this: well, it's for the students. When I'm looking forward and casting forward to the effect that I think can be anticipated from the passing of Bill 12, I think this government has put in place something that is not going to be a lot of fun for students. Certainly we've got a very strict reckoning of what's expected from teachers. We have even a definition that they are to perform exactly certain responsibilities, although it doesn't list the responsibilities. I think that in the long run what we're going to get is a withdrawal of the free and voluntary services that were available for students, and that didn't have to happen. Certainly the teachers are well within their rights to do that, and I think they've been forced into a position of doing it by the government.

Now, the Member for Calgary-Egmont had spoken about the adversarial nature of this process, but truly I think people become entrenched in their corners, partly by the behaviour of the other party, and given what this government has done to teachers, I don't blame them at all for saying: "That's it. I'm not going to be spending any more of my time evenings and weekends doing this."

So I think the effect on students can be fewer opportunities after school, in the evenings, and on the weekends for athletics, sports teams, gymnastic teams, track and field, that sort of thing, and also in the arts for drama or the drama club or plays or choral concerts, things like working on the school newspaper or the school yearbook. I think all of the services for those could be withdrawn if they are in fact voluntary services from the teachers. Now, that all has an effect on the students. So the great concern that's expressed about students here: I don't know that it's been totally thought through what that effect will be.

8:40

I think if we really wanted to see a concern for students, then some time ago when we started to have people coming forward from the community with concerns about what was happening in our schools, what was happening to our students, we would have seen a more positive reaction from the government instead of this immediate entrenchment, backed into their corner, fighting away. I remember bringing forward tens of thousands of names on petitions from parents all over the province asking for the government to adequately fund new technology, expenses from curriculum changes, aging buildings, and textbooks, I think. I said it so many times in the prayer for the petition that you'd think it would just come out automatically. In fact, that was some two years ago that those concerns started to be brought forward into this Chamber. Did we see a positive reaction to that? No, we didn't, yet these were parents that had put together this petition and had taken it around the province. So if we were really concerned about students, I would think that we would have looked more at what could be done around infrastructure and maintenance.

Where are we with technology? I saw one teacher that was talking about how many computers they actually did have in their school for the children, and there was no way that the kids were going to be able to accomplish the mandate and curriculum in computer technology with the number of computers that they actually had in the school. I think they were given a budget of \$42 per student a year to come up with computer technology, and it was just impossible for them to provide the number of computers they would need.

One of the issues that I have raised consistently in the House that I'm not seeing addressed, if we're going to talk about concern for students here, is the Supernet project. Again, that runs the Supernet to the outside of the building, so if schools in other areas in rural Alberta or in small centres are going to receive the Supernet, it's going to run to the outside of their building, and the school is still going to have to come up with the money to run the wiring through the walls and up and down the hallways and into the classrooms and hook them up to the computers that can in fact take the technology that's being brought in through the Supernet. So that's a whole new series of computers there, plus the software that is needed to interpret that and to run with it. That's a whole series of funding that has not been addressed. The government is very quick to talk about how wonderful the Supernet is, but frankly it's not wonderful at all if it stops at the outside wall and never makes it into the school and there are not enough resources to actually implement it and make it happen. If we're going to talk about concern for students, I think that would be part of what we'd be looking for. So I've talked about infrastructure, and I've talked about technology.

Curriculum change costs. We at one time had some discussion in this Assembly about the costs of curriculum changes, and every time there was a curriculum change, teachers had to be sent out to an in-service. The school had to pay for a supply teacher to come in to replace the teacher who was out for an in-service on how to teach this new curriculum. Then there were all the changes in the resource

material, the textbooks and software for computers and audiovisual aids, that were needed to teach a particular new subject. Those are also I think a priority and a cost, and that's a part of what we need to serve our students, but I don't see that being talked about right now.

We've also heard quite a bit from parents about fund-raising and about textbooks. I know I had a letter from one teacher, that I tabled in this House, who was working with textbooks from 1962, I think.

AN HON. MEMBER: The year of the Cuban missile crisis.

MS BLAKEMAN: The year of the Cuban missile crisis.

That's all she had, and she couldn't get better resources than that. When we talk about the effect on students, I think there's a lot of other things that we could be putting a priority on here besides trying to hammer their teachers.

Now, I noticed that the minister this afternoon, when he was introducing this bill for third reading, said that he thinks Bill 12 represents a failure in the collective bargaining process. Well, I think this is what happens when the government tries to union-bash and when, in fact, they make a concerted effort to pervert the collective bargaining process. If there's a failure in the collective bargaining process, it lies firmly and right in front of the feet of the government, who were quite determined to make this process fail.

More interesting than that, I noticed the minister talking about stability, that he thought Bill 12 was going to create stability, which I find an amazing statement. I think that what we've had from the government action and certainly the public attitude and expressions made public by members of the government to the teachers and schools about education generally has created instability. Lots of others have talked about teachers withdrawing voluntary services; that certainly creates instability. So I think one of the effects of Bill 12 will be instability.

One of the other things that's been mentioned a number of times is that we won't be talking about anything else in Bill 12 except for legislating the arbitration process and getting the teachers back to work and that everything else will be discussed by this education commission. I think this is an attempt to sideline and downplay all of the other issues, some of which I have discussed earlier. I think it's not too hard for me to drag out my crystal ball and give it a dust off and put on my scarf and all of my bracelets and gaze into that crystal ball. What I should be seeing is that this would be something good. It's something that many different parties have called for. It's something the Liberals have been calling for for some time, something that the Member for Edmonton-Mill Woods has called for. It should be an opportunity to bring all those sectors together and to address a number of changes and a number of circumstances that have given rise to a need to bring changes into the education system.

When I look back at the government's ability to pervert a consultative process, I don't have to look very far. I can look at stacking participants like was done in the health roundtables in the early '90s, where people who had particular expertise in the field were specifically excluded from participating. I can look at the priority order that was given to public members who were brought into the growth summit. That order was reversed entirely. We had very near the top of the list, in the top five I think, people desiring a reinvestment in education and in health. Cutting taxes was about 62 out of 100, I think, on their priority list. And what did we get first? We had the tax cuts. Did we get the reinvestment in education and health care? I think some people would argue that they're still waiting for that.

I think the other thing that we can say will be an effect of Bill 12 has been a real shake-up of democracy in Alberta. The government's need to put through a bill like this in such an extraordinarily

short period of time – when they have 73 votes in this Chamber, they're going to be able to vote this through. Why do they need to bring in a variety of new parliamentary processes that they want to put in place so they can hang over our heads like a scimitar, a guillotine of time on seven Liberals and two NDs? We must be truly mighty in the opposition to frighten the government that badly that they have to call all of that parliamentary process into play to protect themselves. I think it will shake democracy. I hope it does. I hope other people take a look at what's happening in this House, take a look at the bully that this government has become.

Thank you for the opportunity.

8:50

THE ACTING SPEAKER: Under Standing Order 29 the chair will entertain questions and comments for the next five minutes. The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. I've been listening to this Member for Edmonton-Centre here this evening. I have a question. I think we have to give our teachers more credit than has been given here this evening. I think my teachers in my constituency work very hard, but I heard the hon. member across using the word "students" five or six times. What is her opinion of students? I think students are very important. So are our teachers. I'd like to know whether she values our students.

MS BLAKEMAN: You know, I have questioned the purpose and the value of this Standing Order 29(2), and it's questions like that that really make me question the point of this. That's a ridiculous rhetorical question. He doesn't intend that that be answered. He's merely using it to try and make some bizarre point.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

MR. MASON: Thank you, Mr. Speaker. I would like to ask the hon. Member for Edmonton-Centre what she thinks we could do at this point in the debate to salvage the situation.

MS BLAKEMAN: I don't have an immediate answer to that question. I think there's been a lot of damage done. I think there's been a lot of instability created, as I said. I think it would need demonstrated acts of very good faith by this government. I do not think that Bill 12 should go through. I think a starter in this whole process would be to withdraw Bill 12 and start over again in this process.

THE ACTING SPEAKER: There being nobody else wanting to ask a question, we shall resume debate. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. It is with disappointment that I rise this evening. My disappointment is centred around this bill because Bill 12 is really an example of a government that is out of control. As I said last night, it is a government that just a year ago, a year and a day ago now, received this massive majority, and one cannot argue with democracy. The citizens spoke, but if this government were a runaway freight train, democracy was the brakeperson, and they jumped off.

Now we have this piece of legislation which in effect has not only taken away the democratic rights of teachers that were identified in the reasons for judgment of the Hon. Chief Justice Allan Wachowich in the Court of Queen's Bench for the 20 school districts, but there

are many, many more school districts. There are over 20; 25 to be precise, Mr. Speaker. We need to think about this and think about the repercussions of what exactly this bill means with its decision to take away teachers' right to strike, take away teachers' right to strike in all those school divisions in the schedule at the back of the bill.

Mr. Speaker, the bill is really setting the stage to have unsettled labour relations in this province probably for the rest of this legislative term. Whenever you order any group of citizens around, whether it's 30 or 300 or 32,000, in a manner such as this and you use closure to run this bill through the Assembly, you are setting the stage, unfortunately, for very, very turbulent relations. The ATA and the provincial government and the respective school boards have had a very, very good relationship. Contrary to what some hon. members seem to suggest, we are stuck in a system that creates confrontation. Well, certainly we are in a system that creates confrontation whenever we do things such as put a 4 percent increase as a line item in the budget for fiscal year 2001-2002 and an additional 2 percent in 2002-2003. That is confrontational. That's getting directly involved in labour negotiations. It's fine and dandy in one sentence to say, "Well, we're going to stay out of labour negotiations," but you have to mean it. When this government got involved, things went downhill, and they went downhill very, very quickly.

Now, we know what happened: the court action. It's been called certainly a bad move. It was certainly a bad move by the government. Their claims were quickly and decisively dismissed by Chief Justice Wachowich, and now we see the other side of the coin: well, we're going to get even with these teachers, and we're going to have a bill, Bill 12 here. That is beyond belief. I said last night that it was beyond punitive; it was vindictive. And we were assured in this House, Mr. Speaker, that there would be no punitive actions against the teachers. I believe the hon. Premier and the hon. Minister of Learning both assured the House, not only this member but other members as well, that there would be no punitive action. We look at the section dealing with offences and penalties, part 4, and certainly those measures are punitive.

Now, Mr. Speaker, when this happens, certainly parents are going to be worried, and pupils perhaps are not going to receive over the next couple of years a good, sound public education system because of the confrontation that has been set up by this government. Teachers want respect. First and foremost they want respect, and they're not getting it.

When we think of just how important this is and what happened, we have to look at the public education system and the number of collective agreements. Now, in the education sector, Mr. Speaker, only 5 percent of collective agreements were to expire between October 1 of last year and the end of March this year. This is the problem that the government ran into. This massive majority seems to have gone to their head.

9:00

MR. MASON: Say it's not so.

MR. MacDONALD: I'm afraid it is so. This massive majority has been reduced by one, but it certainly needs to be reduced very quickly by many others. If they're not satisfied with what has gone on in Bill 12, they can join the Liberal Party. They can certainly join the Liberal Party if they're not satisfied with the direction of this government. I see the hon. minister frowning, but it's true. They're welcome.

Now, Mr. Speaker, 54 percent of agreements covering almost 35,000 employees that expired before October 1, 2001, are in this schedule at the back of Bill 12. The majority of these employees are teachers. Now, there's certainly support staff that eventually will be

affected by all this, because they can no longer trust the entire system of collective bargaining in this province. Not only are we jeopardizing our relationship with teachers, but we are jeopardizing the relationship with a lot of other individuals whose workplace is governed by contract negotiations and, in the end result, a collective agreement.

Now, there's no doubt that Alberta teachers entered this round of bargaining seeking substantial wage increases. The Premier promised that since teachers shared in the pain, they were going to share in the prosperity as well. Teachers worked very hard and under some rather difficult circumstances in the last decade in this province. School conditions certainly were not the best. Not only were a lot of classrooms overcrowded, but the mechanical condition of the schools could certainly use repairs. Without the diligence of the teachers and the fact that many parents were quite willing to work to raise funds for the basics – by “basics” I mean library books and just the basic materials that students need on a daily basis in the classroom, and parents were fund-raising for this. Parents stepped in, but the teachers certainly did their part.

When the round of bargaining began last May, Alberta's economy looked strong. I would remind all hon. members of this Assembly that this fiscal year that is ending in the next couple of weeks is the second largest on record in the amount of revenue that this provincial government is going to collect. Other factors influencing the position taken by the teachers include compensation and increases for ourselves, the MLAs of this Assembly. We certainly last summer received a double-digit wage increase.

SOME HON. MEMBERS: Did you?

MR. MacDONALD: Yes, I did. Physicians, nurses, and even workers in the construction industry: everyone received a double-digit wage increase, everyone.

Now, what about the teachers? How fair is that, after we received our double-digit wage increase, for teachers to be locked into this line item of 4 percent and 2 percent? The reverse of that is the two-by-four, and that's what this bill is. It's a legislative two-by-four. [interjection] An hon. member said that it's a subtle means of wage control. Now, everyone knew that this round of negotiations could be and would be challenging, but there was no need for this, Mr. Speaker, these stop/start negotiations: “Well, maybe this is on the table; maybe it's not on the table. We're going to make a contribution to the pension liability.” This is a contentious issue with the ATA and its members. “Well, I said this; I said that. Well, I'm not negotiating; it's up to the school boards. Well, maybe I am negotiating.” It led to confusion.

The real public emergency, Mr. Speaker, before the government decided to use an order in council and order the teachers back to work, was not with the teachers. Unfortunately, it was the leadership shown by this government.

MS CARLSON: That is the public emergency; no doubt about it.

MR. MacDONALD: The hon. Member for Edmonton-Ellerslie is stating that there is no doubt that it is a public emergency, and that's the leadership, not only the leadership issue in regards to public education and issues surrounding that, but certainly in health care, in electricity, and many other issues that affect Albertans today.

We have been told that the government does not directly participate in education bargaining, but we see the result when the government does get involved. It's a complete collapse of negotiations. It has led to this imposed arbitration, the Education Services Settlement Act. That's what I call it. Unfortunately, Mr. Speaker,

you have 60 agreements between Alberta school boards and the Alberta Teachers' Association covering 32,000 teachers, and 51 of these agreements involving approximately 27,000 teachers are involved in this bill. The teachers have had their rights for no good reason stripped away. Now, the three largest school boards – the Calgary public, the Edmonton public, and the Calgary separate – are among those that are in this bill. When we think of what has been excluded here, Mr. Speaker – this is just a bill about wages. We must talk about what is excluded, and that is the number of students in a class, the pupil/teacher ratios, or student/teacher ratios, and the maximum time a teacher may be required to instruct a class.

Unfortunately for the members across, Mr. Speaker, I would like to inform them that there's a great deal of sympathy and support in the general public for teachers and their causes and for their diligence in standing up and protecting public education: reduced class sizes, the issue of underfunding in public education. The support for teachers is strong because of the well-publicized effects public education cuts have had on the working conditions of teachers throughout this province.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: Standing Order 29, five minutes for questions and comments. The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much. My question under Standing Order 29(2). I noticed that the Member for Edmonton-Gold Bar was cut off in the last point that he was making, and I'm wondering if he could complete that point.

Thank you.

MR. MacDONALD: To the Member for Edmonton-Centre, Mr. Speaker. Not only do teachers enjoy the public's empathy, but they are generally perceived as being more credible than their government. Furthermore, it is a commonly held belief that this legislation, Bill 12, takes away the legal ability to strike, and this is unfair and is unduly compromising the bargaining position of the teachers in this province. This government has demonstrated an unwillingness to negotiate.

Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands.

9:10

MR. MASON: Thank you very much, Mr. Speaker. To the hon. Member for Edmonton-Gold Bar: what are the consequences of the government taking away the right to strike of Alberta's teachers?

MR. MacDONALD: To the hon. Member for Edmonton-Highlands. Unfortunately, I regret to tell him that I'm afraid it's going to mean a period of very unstable labour relations in this province. I just cannot understand why the government does not show more respect for the teachers and all members of the teaching profession.

Thank you.

THE ACTING SPEAKER: There being no further questions, we shall resume debate. The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you. It's unfortunate that we have third reading of Bill 12, the Education Services Settlement Act, happening so quickly after the introduction of the bill, but I do have to say that I'm beginning to understand, Mr. Speaker, why the government is giving this bill what certainly is the bum's rush through the legisla-

tive process. We see a bill that was drafted over a weekend, presented to their caucus on a Thursday, given notice on a Friday, introduced on the following Monday, closure motions brought in to be available to use at their discretion in second reading, in committee, and in third reading, as they felt necessary. At the same time as they brought in a time allocation motion, they also brought in Standing Order 73(1) and (2), which allows them to do three separate readings on a particular day if they chose to.

So here we were, Mr. Speaker, debating the bill, completing debate in second reading, and completing debate in committee. And what did we have for a bill? A photocopy. It wasn't even until tonight, after we have nearly completed third reading of this bill, that we actually received the proper copy of Bill 12. So you talk about the bum's rush. Here we are nearly finished voting on the bill before we get the actual bill in our hands in this Legislature.

So I have to say to you: what do we have? We have one hour of debate in committee before closure is brought in. We get one more hour after that. We don't even get all of the amendments up. People don't have an opportunity to fully develop their concerns. Why did they do this? What is the big rush about this bill? The Government House Leader told me initially that the reason they had to bring in the three readings at one stage, a possibility, is because they needed to move quickly on the bill if the teachers went back out on strike. Well, the teachers in this process, I would put to the government, Mr. Speaker, have acted in good faith. They said they wouldn't go back out on strike, and they haven't done so, so there was no reason.

I see a member in the back row here chirping away about there having been five hours of debate so far on this particular piece of legislation in a day and a half – in a day and a half. When you talk about a substantive bill that makes substantive changes to the way things are done here – and anybody in this particular Legislature who thinks that strike-breaking or contract stripping is not substantive lives on the wrong planet. These are substantive issues, and they need to have not only extensive debate, but they need to have an opportunity to go out to the affected stakeholders, and there is no way in a day and a half that that can happen and that we can get any kind of effective and rational feedback. Why is it important to have that? Well, I'll talk about that a little bit later on.

What I do want to talk about at this particular stage, which is third reading, which is to be a review of the bill in the final form – so that's taking us through the process of what got us to the debate of the bill, what happened in second, what happened in committee and the effects of that – are the kinds of questions that are still out there and haven't been answered in terms of addressing this bill. The good news here tonight is that after talking for a short period of time yesterday in committee about the number of former teachers in this Legislature who had not taken the opportunity to speak to this bill, we have seen quite a few of them jump to their feet this afternoon and this evening to put their 2 cents' worth in. I applaud them for that, even if I haven't agreed with hardly a word they've said in this Legislature. I'm pretty sure that a great many of their teaching colleagues also don't agree with it. I would point out that . . .

MS BLAKEMAN: It was nice to get them on the record.

MS CARLSON: It was nice to get them on the record, but there are still a few of them out there, Mr. Speaker, who haven't stepped up to the plate yet.

MS BLAKEMAN: Who?

MS CARLSON: Edmonton-Meadowlark. That would be one of the ones who hasn't spoken yet.

MS BLAKEMAN: Why wouldn't he want to be on the record?

MS CARLSON: I don't know, and I'm sure that he has some good reasons to be on the record. I know that he still has a great many colleagues that are still friends at this stage. I don't think it's because he wants to take the time or show me up at all. I don't think that's at all what he is saying here. I think that it'll be interesting to see what his comments are on the record, comments that he can share with his friends in the profession.

MR. LUKASZUK: It's better to be silent and have people think that you're stupid than actually stand up and . . .

MS CARLSON: No, he doesn't have to be silent. He gets paid to do a job, and he gets paid to represent his constituents, and he gets paid to do it here on the floor of the Assembly, and we expect him to do that.

Yes, Mr. Speaker, I know that I should be speaking through you, and I apologize for reacting to the tittle-tattle that we hear from this side of the Legislature, but they're very provoking.

AN HON. MEMBER: Tittle-tattle?

MS CARLSON: Well, maybe that's what it is. I can see now that everybody's awake in here. There are any number of members who would like to speak, and you'll have your opportunity to do so here pretty quick. I hear lots of chirping out there now but not too many people rising to their feet in debate.

We've got a few other former teachers who haven't spoken . . .

MR. TANNAS: No.

MS CARLSON: Yes, we do, and wouldn't you know? The Member for Highwood. Hmm. That's very interesting, that he hasn't spoken yet. That may be all. I can't think offhand other than those two that I've mentioned, although we do have actually Edmonton-Castle Downs. [interjection] Yes, he spoke yesterday, and I remember listening to him. I remember that and the Member for St. Albert today. There were a few others that actually came up to scratch and some who weren't teachers, who support the government position. Fort Saskatchewan did speak this afternoon and answered some questions, so that was very nice to see that, although I have to say that of all the people who spoke in here, I disagreed the most with his comments. I'd like to put that on the record.

But there are still a number of outstanding issues that haven't been addressed here, and I would like to go back for a moment, if I may, Mr. Speaker, to an issue that was addressed yesterday in an amendment brought forward from my colleague from Edmonton-Mill Woods that was defeated, that really didn't get proper discussion because of the limited time that we had to debate the issue. I did not at that time have an opportunity to put my comments on the record, and I just wanted to make one quick point on that. He was asking to have deleted the section that begins on page 3 of the bill under interpretation, and that was 1(1)(f)(iii) that says: "a concerted activity by 2 or more employees to refuse to comply with responsibilities assigned by their principal or their employer."

We heard a few examples yesterday of how that could be interpreted. For instance, a principal could direct some teachers to organize a concert and the teachers decide they won't do it. If the teachers who decide that they won't do it constitutes more than one teacher, that could also constitute a strike. We heard from the Government House Leader yesterday to begin with when he first heard the comments about this, prior to the amendment being

brought in, that this was an overly aggressive interpretation, and that's a direct quote from what he said, Mr. Speaker.

Then, later on, when the amendment was introduced, he said: No, no, no. That's a misinterpretation. So my question, Mr. Speaker, before we pass this bill this evening is: which is it? Is it a misinterpretation? An overly aggressive interpretation? This is the kind of problem we get into when we see legislation brought into this House in such a hurry. We have seen time and time again that this government hastily crafts legislation, hastily crafting poor legislation as a result and then having to change it later on. So that's certainly an issue.

9:20

Some of the questions that haven't been addressed here so far, that are still outstanding, that need to be addressed are some of the things that we've heard in the media and what we've seen in tablings. I still have a whole stack of tablings, Mr. Speaker, that I was expecting to get to yesterday in committee and was unable to because of the closure having been brought in. There are some questions that need to be answered before we have a final vote on this bill, and some of them are just the activities of ministers with regard to this bill.

We have quoted here in recent newspaper articles that there are at least two ministers of this government who are saying that teachers brought this legislation on themselves, and I think that those ministers should stand up, own up to their comments, and explain themselves. We have also seen many people who have a great deal of knowledge in this area say that the whole concept of this legislation destroys the concept of free collective bargaining, so that's something that's interesting.

We saw the Premier say that this government is interested in acting in the interests of the students, yet they have deliberately excluded from this arbitration issues like class size and pupil to teacher ratios and other outstanding issues. We need to know: why did the Premier assure teachers that they would be rewarded for their fiscal sacrifice and helping the government balance their books earlier in this decade? They took the rollback; the Premier promised to give it back to them. We saw other kinds of big settlements happening here, but teachers don't get their money. Why is that?

Why did the Minister of Learning insist that teachers negotiate with school boards and then wade into the discussion with the 3 percent pension offer in the middle of the negotiations, effectively neutering school boards? I think that's a question that needs to be answered. Why has the government shown such a blatant disrespect for teachers? Another good question. How does the government justify clawing back promised dollars to education? The \$54 million that was asked about in a question the other day makes a difference to teaching grants and to what they can do in this fiscal year, and they won't do that. Oh, Lesser Slave Lake is a former teacher, Mr. Speaker, and she hasn't spoken yet, and we want to know why that is. Another question: what is the role of trustees in this province now, as the government has made their roles irrelevant?

So I'll stop there, Mr. Speaker. I've got a whole bunch more to say, but I'll stop there on that part because I want to introduce an amendment. So I would ask that the clock stop now while the amendment is being distributed to members.

THE ACTING SPEAKER: Hon. member, you may proceed now.

MS CARLSON: Thank you, Mr. Speaker. While we were waiting for the amendment to be distributed, the Member for Edmonton-Calder wanted to know if this amendment was hastily drafted, and I said to him: not nearly as hastily as this poor government legislation was drafted.

What we have before us is an amendment moving that the motion for third reading of Bill 12, Education Services Settlement Act, be amended by striking out all the words after "that" and substituting the following: "Bill 12, Education Services Settlement Act, be not now read a third time but that it be read a third time this day six months hence."

Mr. Speaker, this is commonly known as a hoist amendment, and we feel that it is very important to be brought in at this particular time on this particular piece of legislation for two equally important reasons. The first is that this gives both government and opposition members time to solicit feedback from stakeholder groups around the province – I'll expand on that in a minute – and the second is that it gives teachers time to see if the government is acting in good faith with the education commission in dealing with the outstanding issues of class size, student population ratios, funding for basic supplies, evergreening of electronic equipment, and issues arising out of integration.

There is no doubt that this government has not built very much goodwill in terms of how they have walked through this process, and their education commission is being dismissed as an absolute farce by many groups in this province. Let's see if they're really going to follow through with their review this time and whether, in fact, they're actually going to implement anything. It hasn't been the case in the past. We need feedback from stakeholder groups in the province, Mr. Speaker, on this particular piece of legislation.

We have found time and time again that when this government hastily drafts poor legislation, there's something significantly wrong with it, not the least of which is that clause that we tried to amend out yesterday. We have seen examples – and I'll use Bill 15, I think it was, from two years ago, which was an environmental bill which this government swore up and down was good legislation. We managed to postpone that legislation from the spring session to the fall session, and they actually did their work then. They went out to stakeholder groups in the province. They talked about the legislation, found out that it was faulty, and came back and improved it. That's what we need here.

THE ACTING SPEAKER: This is a hoist amendment. Hon. members may be able to speak to the amendment now. The hon. Member for Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. Before I get into the detailed discussion of Bill 12 and its amendment, I want to talk about education and teachers. I have no doubt that all of my colleagues in the House here, particularly on the government side, have high regard for the teaching profession, the teachers and educators, and we put great social value in education for our children and society in general. In fact, a large number of our colleagues here were teachers. Personally, I myself did teaching at colleges.

Mr. Speaker, let me cast my view worldwide and through the history of mankind a bit. If you ask me about the famous and valuable persons from Greece, the names of Socrates and Plato and Aristotle come first to my mind, long before the powerful king Alexander the Great or the wealthy Midas. If you ask me about the well-known and valued persons in China, the names of Lao-tzu, Mencius, and Confucius come first to my mind, long before any other contemporary of theirs. Why? Because they were teachers, albeit 2,500 years ago, and they still are.

So let me draw closer to my home, to me, within my family circle. Teachers have the highest respect. In fact, my father was an educator. My father-in-law was a principal. Many of my relatives were, are, and will be educators. In the cultural environment I was brought up. . .

THE ACTING SPEAKER: Hon. member, the hon. Member for Edmonton-Ellerslie on a point of order.

**Point of Order
Relevance**

MS CARLSON: Yes, Mr. Speaker. Relevance. I'm citing *Erskine May*, page 378. We are on a hoist amendment. Not a word coming out of his mouth so far has had to do with that particular amendment.

MR. STEVENS: Mr. Speaker, I've listened for the last couple of days to the opposition indicate that it's difficult to define relevance, and clearly, in listening to them for the last two days, that is true. What is also said by the opposition, which I fully agree with, is that one must be given an opportunity to develop a foundation in which you can then lead into the relevance of a debate, and I have no doubt that my colleague the hon. Member for Calgary-Fort has every intention of doing that.

THE ACTING SPEAKER: Hon. Member for Calgary-Fort, we do have before us an amendment that has been moved by the hon. Member for Edmonton-Ellerslie, and the chair assumes that the arguments that are being put forward will lead to discussions towards this amendment.

9:30

Debate Continued

MR. CAO: Well, thank you, Mr. Speaker. In fact, like an hon. colleague of mine just mentioned, I'm laying a foundation for the debate. You can only debate when you have a strong foundation. So bear with me. I would like to carry on.

This is about teachers, the value of teachers, and that leads to the amendment and the reasons for this bill that we are bringing forward. Once again, I want to tell you my personal story. I have counted the number of teachers and professors that I have had in my life. It's spread over three continents and over 25 years. I feel grateful and have fond memories of those years with my teachers. Without them I'm sure I could not have been the person I am today. Like the hon. Member for Calgary-Shaw talking about her children, we have three boys. They have grown up in Calgary. They are the quality products of public education in Calgary. As parents we put the highest value on education, and we have high regards for their teachers. I can say that. I still remember a particular Mr. Hehr, who was a teacher of our children over 20 years ago and who is now working with the Teachers' Association in Calgary.

Now, let me focus on the specific topic of the present moment, Mr. Speaker. May I quote several correspondences that I have just received from my constituents. From one teacher: "My day started at 7:15 am in planning and making contact with students."

MS CARLSON: Point of order.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie on a point of order.

**Point of Order
Relevance**

MS CARLSON: Thank you, Mr. Speaker. Once again on relevance. I have diligently listened to every word the member has spoken for the last two minutes, and while he says that he is laying the foundation for talking about the amendment, let me give him a little hint: all he has to do is say that in speaking to the hoist amendment, he needs to tell his story. If you just say that, you'll be relevant, and we'll be happy.

MR. HANCOCK: Well, Mr. Speaker, notwithstanding that it takes so little to make the hon. member happy, it's obvious that the speaker is dealing directly with the question of why it's necessary to pass the bill now as opposed to not passing it for six months. His reason in his argument has been very clear to me and I think to other members of the House. In his argument the reasons why it's urgent now are very apparent. He's speaking about the e-mails that he's getting from his constituents and the issues that are important to his constituents in education. So it's very relevant. Notwithstanding that, if it'll make her happy, I would urge him to say: I'm speaking to the hoist amendment.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre on the point of order.

MS BLAKEMAN: Yes. I agree, and I will join in urging the member to consider relevance in the presentation that he's making. The closest I can hear is that he's talking about a teacher that his children had 20 years ago. So if we are going to be relevant and we're going to be talking about why this bill should be hoisted for six months, I encourage him to direct his attention to the hoist amendment.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands on the point of order.

MR. MASON: Mr. Speaker, on the point of order. I know that the hon. member is certainly talking about education as he understands it, and certainly I'm enjoying it. Certainly it's helping us to pass the time. That, to me, is an important thing in the present state of affairs, at least as far as the opposition is concerned. I'm a little perplexed about the points of order, because I think we should allow the member to continue to speak for his full 15 minutes, and I have many questions for him.

THE ACTING SPEAKER: The hon. Member for Calgary-Fort on the point of order.

MR. CAO: Well, I was getting to the specific point. On the point of the amendment, I need to build some examples as a foundation.

THE ACTING SPEAKER: The chair has listened intently to everyone's comments and feedback, and I would like to give the benefit of doubt to the hon. Member for Calgary-Fort that his intent is to discuss the amendment that's before us.

The hon. Member for Calgary-Fort.

Debate Continued

MR. CAO: Thank you. I want to make it clear right now that what I'm doing here is talking about the amendment and building up the foundation for the conclusion.

As I said, I received correspondence recently, in fact yesterday, from a number of my constituents. From one teacher:

My day started at 7:15 am in planning and making contact with students. I taught classes from 8:50 to 11:45, then supervised the school's fitness centre through my lunch hour. I continued to teach with no break for the remainder of the school day. I spent 45 minutes working one to one with a few students, then went home for an hour. I returned to work at the Jack Singer Concert Hall to supervise the backstage area for a concert involving at least 350 students from our school and feeder Junior High schools. I left the hall at approximately 10:30 pm.

So that's from one teacher.

From another one:

I don't feel cared about or important anymore. I spend my whole day with children and nobody with the power to help cares to listen to my opinions about what those kids need. Think of it this way: one day one of my students might be your boss. She or he might be Prime Minister . . . do you want that person to be educated?

From another teacher:

I am a teacher with the Calgary Public Board. During my 20 year career as a teacher my focus has been to meet the diverse learning needs of children in my care. When resources were not available, like my other colleagues I found resources and paid for them with my own money. I have spent countless hours with fund raising activities such as helping with Casinos.

May I quote from another teacher?

I spend many hours supervising extra curricular activities such as intramural sports, drama productions, writing workshops and leadership clubs to name a few. I believe that as a teacher these extra hours are important learning opportunities for children as these activities provide lifelong skills.

My last quote is from a parent.

We would appreciate it if you guys in the government would get involved with this situation. Forget about the ego from both sides and settle this as quickly as possible. Our kids' education is in trouble. Thank you very much. I don't know how much more I can express my concern. But please, for the kids' sake, do something. Please . . . please . . . please.

For these reasons I support the two-pronged approach that was agreed to by the stakeholders; namely, the ATA, teachers' unions, and the Alberta School Boards Association. This two-pronged approach includes, one, a quick and onetime legislated binding arbitration to resolve the current contract salary impasse, and two, a comprehensive review of our education system in total and for a longer term to address the valid concerns that the teachers have voiced to me.

Now, my support for this two-pronged approach is also based on a publication from the ATA web page. Let me quote from the ATA web page.

March 1: Chief Justice Allan Wachowich overturns the back-to-work orders, ruling that the government failed to demonstrate that the strike was causing a public emergency in each of the 22 jurisdictions. The association asks teachers to remain in their classrooms. Premier Ralph Klein agrees to meet with ATA President Larry Booi.

9:40

AN HON. MEMBER: Who said that again?

MR. CAO: The ATA president.

March 4: ATA President Larry Booi meets with Premier Ralph Klein and subsequently with Minister of Learning Dr. Lyle Oberg and Minister of Human Resources and Employment Clint Dunford. The Premier agrees to bring to caucus and cabinet for discussion two potential approaches to resolving the disputes; (1) initiating an arbitration process and (2) establishing a commission to investigate teaching and learning conditions.

Yes, Mr. Speaker, Bill 12 is to help implement this new onetime process of legislated binding arbitration that was agreed to for this labour contract term. I'm told that for those unsettled and on-strike situations, the teachers' union locals and the local school boards can reopen their own normal negotiations anytime.

I am so pleased to agree with Mr. Larry Booi's quote in the *Edmonton Journal* on March 5 after his meeting with Premier Klein.

We never thought that this year's contract would resolve the really difficult situations that have driven 21,000 teachers to strike. We know it's going to take a good hard look at the problems, and if we have a good close look at the problems we'll probably start to see some of the solutions down the road.

Mr. Speaker, last February I attended the teachers' convention in Calgary. I spoke with a number of teachers about their excellent initiative and innovation. I shared their visions and some frustrations. I saw a range of products and services developed for teaching and learning. Certainly teachers and learners of today are far different from those in the days of Plato or Confucius. Certainly it is different from the days when I was in school or even when our children were in school. Societal changes along with the fast technical changes do require us to have a good close look at the problems, to make changes to our attitudes, and to update the ways of doing things. We urgently need to have a new vision of education that caters to the needs of the learners, the teachers, and the parents. So let's help the two parties settle the salary dispute quickly so that we can move on to the new and exciting phase of working together in the new review of the education system.

Mr. Speaker, for that matter, I conclude that we should not accept this amendment. Also, I just want to leave you with this. Confucius said 2,500 years ago: to make society prosperous, educate the people. May I conclude by saying: to make Alberta prosperous, let us focus together on Albertans' education.

Thank you.

THE ACTING SPEAKER: Under Standing Order 29, five minutes for questions and comments.

MR. MASON: Well, Mr. Speaker, I would like to ask a question of the hon. member and, first of all, congratulate him on building a 50-storey foundation and a one-storey argument. He indicated that the teachers had agreed to this. I'm looking at the teachers' web site, and they certainly don't seem to agree. I'm wondering where he gets the information that they've agreed.

MR. CAO: Well, I can provide to the hon. member the web page address exactly, but those messages I quoted exactly from the text on the web page.

THE ACTING SPEAKER: Hon. Member for Edmonton-Centre, did you have a question? Okay.

There being no further questions, we'll resume debate. The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thanks very much, Mr. Speaker. I would like to rise in favour of the hoist amendment proposed by the Member for Edmonton-Ellerslie, and I would urge all other members of the Assembly to vote in favour of this hoist amendment. Now, this hoist amendment is about time and two sides of that. We're asking for the hoist to gain time to allow a resolution to all of the issues that have been thrown up by this disruption and, as the Member for Calgary-Egmont put it, the adversarial nature of what has gone on in the last few months. Secondly, we're asking for the hoist because of time, and that is the short time lines that have been forced into place, that have been shoehorned in by this government. It doesn't allow for a review by stakeholders, a review by constituents and Albertans of what is being proposed in this legislation. So the hoist is definitely about time, because we have not had enough time and because we need time for everyone to have a look at this.

When I look at why we haven't had enough time, well, on March 2 there was a court judgment that said that the previous proposal, restriction put in place by the government was not acceptable. Then there was a great deal of speculation but no real understanding of how the government would proceed midweek. We had oral notice given in the House on Thursday the 7th that there would be legislation forthcoming – again no indication of what the legislation would

be. It was obviously drafted over the weekend. We had a first reading notice on Monday, and at the same time we had a notice of five government motions.

[Mr. Lougheed in the chair]

“Pursuant to Standing Order 73(2) Bill 12, Education Services Settlement Act, may be advanced two or more stages in one day.” Now, the purpose of that is to give the government the power to ram a bill through in one day, essentially, because generally we would not be able to have more than one stage of the bill in a given day.

In fact, when we look at the rules that are set out for the nongovernment bills, it's quite clear that they allow for up to eight days between the second reading and Committee of the Whole for a bill and a further four days between the end of Committee of the Whole and the bill being called forward for third reading. So there's a total of 12 days there in between when those stages of the bill have been complete, and I think that is in there exactly so there can be contemplation by stakeholders and members of the public outside of this Chamber and even additional contemplation by members of the Chamber itself. So there's a reason why that time factor is built into that. When we look at what the government generally does with bills, they're more or less following that same time line that's set out for the private members' bills. They don't have to stick to it, obviously, because it's government bills, but generally that's what they're following. So to have the government bring forward a motion that's going to basically try and force through the bill in one day I think gives rise to the need for a hoist amendment in itself.

9:50

At the same time we also had four other motions where oral notice was given for them. Essentially they were bringing in that time guillotine motion that's new to Standing Orders. Government Motion 14 was that once “an adjourned debate on Government Motion 13 is resumed, not more than one hour shall be allotted to any further consideration.” That was the guillotine on the motion previous to it. Motion 14 was putting a guillotine of one hour on any debate on Government Motion 13. Government Motion 13 was to have the stages of the bill all read in one day. So even in that, the government was not allowing any discussion of the draconian measures that it was taking to put this bill through. Then we have three more motions that are putting that time guillotine forward on each stage of the bill, so in second reading, Committee of the Whole, and third reading.

Now, as we know, yesterday these time guillotine motions were only used once, in Committee of the Whole, but certainly the government had inoculated itself to be able to use it by bringing forward the oral notice of these. Again that's an issue of time, the short amount of time that was allowed for consideration and all of the processes that were put in place by this government to make sure that they could control this legislation and make it go through in a very short period of time. I think a big part of this is to make sure that there's no feedback from the public on this, that the general public doesn't have time to find out what's going on and to start turning up at the front of the Legislature as they did with something like Bill 11 once they had caught on to what was going on there and they wanted to express their displeasure.

Another part of that is people's ability to send e-mails, phone calls, and letters in to their Members of the Legislative Assembly and get a response back from them. Now, the Member for Calgary-Fort did read out some of the e-mails or letters that he has received, and I think that time is necessary for others to read and comprehend what the public is telling them and what the teachers and what the

parents are telling them about the need for some rational thought on this and a little less of the hysteria that we've seen from the government, which sort of flails away putting stops in place at any possible opportunity for anyone else to express an opinion or to try and argue with what the government is doing.

[Mr. Shariff in the chair]

I think another reason for the hoist motion giving us an additional six months on this issue would be to get this proposed education commission up and running . . .

MR. MacDONALD: The Massey commission.

MS BLAKEMAN: The Massey commission, yes.

. . . and perhaps even, in the best-case scenario, be able to report back so we would have the information on what's been proposed or debated and contemplated by that commission in front of the Assembly when we are considering whether or not it would be appropriate to pass Bill 12. I think that a lot has been put onto that education commission through this bill and through what the minister and the Premier have been saying in context around Bill 12. There's a lot of weight being placed on this Massey commission, this education commission, and it is not being given an opportunity to be included in the discussion with what's in front of us. As a matter of fact, it's specifically excluded, and I think that's a mistake. I don't think you can look at these two things in seclusion.

So the time that is being brought forward to us through this hoist amendment is important to allow that commission to function and perhaps even report back. It can be looking at things like the issues around infrastructure. We've had schools that have closed across Alberta. Kids are now being bused to other schools because their schools have been closed, part of it due to infrastructure problems, part of it due to – what was that awful thing called? That ratio about use of space?

MR. MacDONALD: The utilization formula.

MS BLAKEMAN: Thank you. The utilization formula. That's very good.

I think that's part of what should be discussed by that education commission, because I think the government was finally starting to understand that that was not a useful measurement of how we were using schools and space in schools. So I think that should be added into what that education commission could look at.

On a lighter note I've noticed that a number of members in the Assembly took an opportunity during their debates on Bill 12 to reach back into their memories and reminisce about their early childhood teachers, and certainly I'm sure we would have more members up and reminiscing about the value that the teachers have had in their lives, given enough time to remember that. Indeed, we had the same thing brought forward by the Member for Calgary-Fort as he reminisced about his children's teachers.

I think we need the time that's given to us through the hoist amendment to look at the issue of funding for school boards. A big reason that we're in the mess we're in here is that the provincial government saw in its wisdom – well, it's not wisdom; it must be the opposite of wisdom – to take away the ability of school boards to requisition funds. That was done in '94-95, I think. So we have a situation here where we're supposed to have the teachers' union negotiating with the school boards for wage settlements and for improvements in working conditions, but in fact the school boards don't have the ability to say whether or not they've got the funds to

pay that. That purse is held by the government, and the government had already said that it was going to do 4 and 2, 4 percent this year and 2 percent next year, which isn't a position of negotiation. I think we need that six months to seriously go back and see whether there is room to put some requisitioning ability back into the hands of the school boards. I don't think it has to be a hundred percent. Certainly what some trustees that have talked to me have talked about was that even 3 percent would give them enough room to be able to react to local circumstances there, and I think that's a big part of what we're struggling with around this whole issue of settlements and negotiations and a collective bargaining process today.

You know, no matter how many times the government said that they weren't involved in this debate, that it was between the school boards and the teachers, it couldn't be between the school boards and the teachers because the school board didn't have the authority to come up with the funds to actually bargain into this process. So we certainly need the hoist amendment to be able to give us the time to resolve that.

I appreciate the effort that was put into bringing forward a hoist amendment by the Member for Edmonton-Ellerslie. The teachers have given us the room to be able to work with this. They made it very clear that they were not going to go back out of the classrooms again. They certainly could've, but they didn't. They said: no; we'll stay in the classrooms; we'll keep going with what we're doing; we need time for cool heads to prevail and for us to give a reasonable amount of thought and consideration to this. So we have the time for them to be able to coolly consider this, and the government insisting on trying to put it through is punitive. An ugly situation has been created here in Alberta, and it's been created by this government's determination that they are going to be right and they are going to force their opinion on everyone whether they like it or not. I don't think that's good governance. So we need this hoist amendment, and we need this time to think carefully and coolly about how we can resolve the situation and fix the damage that's been done here on all parts.

I appreciate the opportunity to speak in favour of the hoist amendment, and I urge all other members to support it. Thank you very much.

THE ACTING SPEAKER: Standing Order 29, questions and comments. The hon. Member for Edmonton-Highlands.

10:00

MR. MASON: I wonder, Mr. Speaker, if the hon. member could elaborate on the whole question of the space allocation formula and why that is so significant to this debate?

MS BLAKEMAN: This was a significant issue that seems to have taken a step into the background, but it was because of the way the school board was requiring that space be determined in the schools. It was basically taking every square inch of the school square footage and then dividing it by the number of pupils, but it wasn't done in a reasonable way. As a result of this utilization formula, a number of schools had to be closed, and that, I think, should be corrected.

THE ACTING SPEAKER: The hon. Member for Edmonton-Gold Bar with a question.

MR. MacDONALD: No, Mr. Speaker, but I would like to continue debate.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands has a question.

MR. MASON: Just a comment. I appreciate the hon. member raising that question, because it is a serious problem. Schools are not allowed to include things like computer rooms, staff space, libraries, and so on in the allocation. The result has been that many schools in older communities are considered to be underutilized and are under pressure of being closed. It's just clearly another example of how the government just doesn't have it right.

THE ACTING SPEAKER: Anybody else rising with a question or comment? The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MR. HORNER: Mostly a comment, Mr. Speaker. I think that a lot of the comments which the hon. member has alluded to certainly talk about taking a lot more time to come to some sort of settlement, and that's not what we've been asked to do. We've been asked to take some action. We've been asked to get involved in a review of education. The longer we delay this, the longer we delay the review of education.

I see that as a positive move, that we should all work together and pass this bill tonight.

MS BLAKEMAN: I don't think that it can be said that the teachers in Alberta feel that they needed the government to move quickly and to put forward a piece of legislation like Bill 12 and shove it down their throats. I don't think that's the kind of time that teachers were talking about at all.

THE ACTING SPEAKER: Okay. We'll resume debate now. The hon. Member for Edmonton-Castle Downs.

MR. LUKASZUK: Thank you, Mr. Speaker. The members of the opposition are really eager to hear from teachers, so they will have the opportunity to hear from me a second time. This hoist amendment is proof in the pudding that what the Liberal and ND oppositions are really after is to score some cheap political points on the backs of teachers and students.

MS BLAKEMAN: Point of order.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre on a point of order.

Point of Order Imputing Motives

MS BLAKEMAN: Thank you. Standing Order 23(h), (i), and (j), imputing motives. I don't think that the Member for Edmonton-Castle Downs is correct in this Assembly in imputing motives to either the Liberal or ND members about why a hoist has been brought forward, and I would ask the Speaker to rule on that point of order, please.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands on this point of order.

MR. MASON: Yes, please, Mr. Speaker. Standing Order 23(i) is the specific one that I think deserves your attention: "imputes false or unavowed motives to another member." Now, the member has just accused our party in this House of trying to score cheap political points at the expense of the students. I don't know about the motives of the other party, but they can speak for themselves. I can certainly say that from our point of view that is completely false. We are on principle very, very opposed to this bill and are doing

everything we can to oppose it, but it is for the reasons that we have stated in this Assembly.

Thank you.

MR. LUKASZUK: Two points, Mr. Speaker. First of all, my comments were clearly not directed at any particular member in this Chamber but rather at a political party. The sections that the members have quoted pertain to members as individuals and not to groups of members.

Second of all, if the members indeed find the statement offensive, I will withdraw my statement and replace it with "making political gains."

THE ACTING SPEAKER: The hon. Member for Edmonton-Castle Downs has withdrawn his remarks. However, I'll caution every hon. member that all elected members are honourable members. We abide by a Standing Order that we have all agreed upon, and I caution everyone to please respect every other hon. member of this Assembly.

The hon. Member for Edmonton-Castle Downs to proceed.

Debate Continued

MR. LUKASZUK: Thank you, Mr. Speaker. If indeed the well-being of our students and if indeed the work stability and the well-being of our teachers were the primary motives of the arguments posed by the members across, it would stand to reason that they would not introduce a bill hoisting this matter for six months but rather would urge the government to address the matters as fast as possible so that there is some form of resolution to the labour dispute with the teachers and the ATA and so that there is some form of stability among the student body in Alberta. That clearly is not indicative of this. What this hoist amendment would result in is allowing the members across to dispute this matter for six more months, hoping to have more comments recorded in *Hansard*, without any attainable outcome whatsoever.

Mr. Speaker, in this province we have top-notch teachers. I personally had the pleasure of handing out the excellence in teaching awards on a number of occasions, and many of my colleagues, other teachers, are recipients of this particular prestigious award. Even those who haven't had a chance to be recognized by this award, by this government and the employers, the school boards, are of no lesser standard. I know for certain that the majority of teachers, if not all, find that teaching is their main priority. Indeed, they do deserve fair compensation for the marvelous work that they do, but fair arbitration will arrive at that. After all, the arbitrators – there'll be three of them. They will be appointed by teachers, they will be appointed by the ATA, and the chair will be appointed by government, which is impartial in this process.

Mr. Speaker, teachers do deserve a fair settlement, and by this process they will receive it. However, it is important to resolve this particular matter of the labour dispute so that we can address the real issues, which some of the members have identified. If indeed the members opposite find classroom sizes, student/teacher ratios, to be problematic, why not allow the labour dispute to be settled and then focus on those issues by way of some form of committee, which this government has already undertaken to strike. Then they will have a meaningful forum in which they can contribute their comments and/or criticisms.

Mr. Speaker, these are delay tactics, and they are not aiming at achieving anything but placing more speeches, futile speeches, shall I add, into *Hansard*. I would urge all members of this Assembly to vote against this amendment. Bring back stability to the teachers'

employment, and reassure our students that, indeed, their learning is our and teachers' utmost priority.

Thank you.

MR. MASON: Mr. Speaker, the hon. member has suggested that the speeches that are being made in this place are futile. I wonder why he says they are futile and if he believes that his speeches are futile as well.

10:10

MR. LUKASZUK: Mr. Speaker, if my speeches were containing quotes of Popes and past Presidents of the United States, if they were containing allusions to frogs and other fowl, I would indeed consider them to be futile, but that was not the case.

THE ACTING SPEAKER: We will resume debate. The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you very much, Mr. Speaker. I rise to speak on the amendment as proposed by the hon. Member for Edmonton-Ellerslie. Just for the record this amendment reads: "Bill 12, Education Services Settlement Act, be not now read a third time but that it be read a third time this day six months hence." I think it is a very suitable amendment because we don't need to be using a massive majority like the one that was received by the current government a year and a day ago to ram legislation such as this through this Assembly.

Mr. Speaker, there is only one way to describe this, and it is this. We have taken away from thousands and thousands of teachers their right to strike until the end of August 2003. We have used measures that, to say the least, are vindictive if they're not punitive. This is not decisive action with this bill. This is divisive. This is a very divisive action, and this is why I would encourage all hon. members to support the amendment as proposed by my colleague from Edmonton-Ellerslie. This is not the answer to the problems with public education and the negotiations that are going on between the school districts, the elected school trustees. In fact, Mr. Speaker, I believe I can safely say that 100 percent of the visitors who are currently in the public gallery are elected school trustees. I can quite safely say that.

We need to set in place a process – there's no doubt about that – where the teachers and the school districts and their government, the provincial government in this case, can settle their differences, where they can settle their differences not only regarding wages but also class sizes and the underfunding in the public education system that has gone on. Mr. Speaker, these items are all related. The arbitration process that is to be set up – and the hon. Minister of Human Resources and Employment certainly has had a fair amount of experience in dealing with these processes, and I'm sure that the hon. minister has some concern about this. There have been other processes that have been discussed, but I don't know how this one will work. I'm afraid that if we do not accept this hoist amendment, we are going to sour labour relations in this province for an extended period of time and there are going to be no winners. There will be no winners in this.

Now, we have this restriction. We're going to have this arbitration on the collective agreement for teachers, and it is going to be restricted to salaries and salaries only, no other conditions. I consider that totally unfair. As I said before, we do not include class sizes. Let's, for instance, take the school in the constituency of Edmonton-Gold Bar which I visited during reading week. I visited two classes. This was an elementary school. Both classes had class sizes of over 30. [interjection] There were not, unfortunately, two

teachers. No, there were not. Arrangements were made after the first four weeks of the school year to have some additional aide time. That arrangement was appreciated, certainly, by many of the parents, but the parents are not satisfied with that class size. If we do not get a better way than this proposal, we are going to have long-term problems, whether it's the pupils, whether it's the parents, whether it's the teachers, or whether it's the school trustees, or all hon. members of this Assembly. There are still going to be very serious problems with our public education system.

Now, I heard other hon. members of this Assembly talk about this hoist amendment, and they stated that this government and they themselves had high regards for the teaching profession. This bill, in my view, does not demonstrate that. To move this bill with such speed through this Assembly – I'm sorry; I have to question the desire to state that this is best for the public education system in this province. I cannot accept that, Mr. Speaker, this approach of having confrontation and no negotiation with such an esteemed organization as the Alberta Teachers' Association, which has a long, long history in this province. If we're talking about the political history of this province, we should consider the role that the schoolteachers – and they're affectionately just called the schoolteachers – have had in the affairs of this province. Now, I understood yesterday from the Premier that 20 of the government members are associated with or are members of the teaching profession. When you add in the opposition members that have been involved with the teaching profession, well, that means that 25 percent or better of this Assembly, of the composition of the members of this Assembly, are teachers.

Now, perhaps after the teachers of this province see exactly what this bill is doing to their rights, they are going to take a more active interest in provincial issues, just like they did in the '30s and in the '40s, Mr. Speaker, and perhaps that is a good thing that will come from a bad bill.

In conclusion, Mr. Speaker, I would urge that all members of this Assembly support this amendment, because the focus of children must be channeled in school by teachers who are not only satisfied to participate in the profession but feel wanted and feel respected.

AN HON. MEMBER: Why don't you give them a hug?

MR. MacDONALD: Mr. Speaker, an hon. member said that perhaps the government should give them a hug. Well, I think if the government were to provide stable, fair, and impartial labour relations, that would be sufficient. If the government was to genuinely be interested in addressing the issues of class size and the chronic underfunding that's been going on – and I know hon. members are going to state that there has been over \$300 million recently reinstated in the budgets of classrooms across this province, and that's correct. In fact, I have the precise figure here: program spending would increase by nearly 20 percent, or \$854 million, over the next three years. The additional enrollments would be .3 percent. Now, that's a lot of money. It certainly is, but we have to be assured that this money is going where it is needed.

10:20

Mr. Speaker, there has to be money available to fix the mistakes of the past. We have to go back, whenever we're looking at this issue, to the reckless cuts that were made to public education. The money that has now been reinvested, I believe the term is, in public education is warranted. After what's happened, it's going to take good planning to stabilize the system, and this bill is not good planning. This bill is, quite frankly, destabilizing the system. By imposing these rigid rules through until the 31st of August 2003, it's

going to just make a bad situation worse. That's why I would urge all members of this Assembly to support the hoist amendment as proposed by the Member for Edmonton-Ellerslie.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: Questions and comments? The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. In 30 seconds I'd like the hon. Member for Edmonton-Gold Bar to give me an answer as to: what will change in six months by delaying this bill?

MR. MacDONALD: Mr. Speaker, in response to the hon. Member for Redwater's question, this is not the way to have fair and impartial labour relations, by imposing this bill on over 30,000 teachers in this province and over 40 school districts. This is not the way to do it.

Thank you.

THE ACTING SPEAKER: Hon. Member for Edmonton-Highlands, you have a question?

MR. MASON: I wish to speak, Mr. Speaker, to the amendment.

THE ACTING SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. Unfortunately, I cannot support the hoist amendment.

THE ACTING SPEAKER: This is the questions and comments section.

MR. DUCHARME: I'd like to speak to the amendment.

THE ACTING SPEAKER: There being no questions or comments, the hon. Member for Edmonton-Highlands had risen before, so I'll recognize him.

MR. MASON: Thank you very much, Mr. Speaker. I would like to rise in favour of the amendment to the bill to postpone consideration of third reading for six months. Why might that be? It is because we believe that this bill is of fundamental importance and will negatively affect the rights of employees in this province and also students. We believe that it has been cooked up in a very short time. We also believe that the government members do not yet realize the full consequences of the bill.

What we want is some more time for reflection on the part of the government and of the government members before the bill is pushed through. Any delay would be satisfactory. Six months is a long time. We'd settle for a few weeks. We'd settle for a normal course of legislative debate on this bill instead of the fast-track, two-day, closure enforced process that has been selected for this bill. So on that basis alone we think that it ought to be postponed. We have some confidence that members opposite, if given a chance to reflect, may in fact one day actually change their minds on something, and that would be good.

Mr. Speaker, if you'll allow me to build the foundation for my argument a little bit . . .

MS CARLSON: Fifty storeys?

MR. MASON: No. It's only going to be a couple of storeys, hon. member.

I have a letter here which I would like to read.

AN HON. MEMBER: From the Pope?

MR. MASON: No, it's not the Pope, but I would advise the hon. member not to guess, because he can get himself in a lot of trouble.

To Whom It May Concern,

Today I decided to walk away from a degrading relationship, a situation in which I have been shamelessly devalued and abused. For the past year and a half of my young life I have put in much more than my share of time, emotion, and creativity to try and make this relationship work. Nothing improved. Instead, I have listened as my efforts were insulted publicly by my partner. I have had necessary funds withheld from myself and from the children under my care. My confidence and ambition have been eroded to the point that I have trouble remembering why I began this relationship in the first place.

Nearly every sinew and fiber in my body tells me that I should leave. I know that I am intelligent, educated, inventive and bold enough to succeed without this abuse. I know that my health, both physical and emotional, will improve greatly when I sever ties with my partner . . . but I'm going to stay for three more months.

What could make me stay in this situation even a second longer? Why, the children of course. I have dozens of them, and I care about each one because I am a teacher. The abusive situation I find myself in is with a government that refuses to acknowledge the value of my students, the value of my consuming and difficult work, or the value of a properly funded and supported public education system.

I've heard some people say that my relationship as a teacher under this government will improve because my salary may increase a bit this year. They are wrong. Do teachers deserve more money? From the inside I can tell you that they absolutely do. However, I do not think that money alone will be enough to make me suffer through another year as difficult as these first two have been. If it is only money that is intended to attract me back to this profession in September then my days as a teacher are over.

I respect myself enough to know that I deserve an employer that does not force me to work without a contract, one in which my workload (read: classroom size and desperately needed support for students with special needs) is not too much for one very hard-working person. I deserve a job that is not singled out by my own government for ridicule, abuse, and insultingly discriminatory legislation.

It pains me to admit that, come June, I need to walk away from teaching in my own province. Maybe it will not matter to the majority government that one lone teacher has decided not to martyr herself for them again next year. The thing is, I don't believe that I am the only caring, exhausted, abused teacher ready to leave. Had the Progressive Conservatives chosen to address all the problems that have been festering in our public education system in the past ten years, I would have been willing to consider returning this September. But to come back to this educational system in the state it is now? You could not pay me enough.

Now, Mr. Speaker, I want to address the whole question a little bit more of this commission on education. Once again, the government is coming up with a commission at the same time as they're imposing a contract on the teachers, and this is something, I think, that members should consider in the six-month interim: that the issues facing education in this province are not new. What is new is that the government has suddenly decided that they've got to have a commission to deal with it. Why are they doing it now? Because they're not going to give the teachers the right to collectively bargain a fair contract. They're not going to give the teachers a fair deal. So in order to have something else to divert everybody's attention, they're all of a sudden going to set up this commission and take however long it's going to take to finally come and deal with the issues that they have known about for years. The timing is

highly, highly suspicious, Mr. Speaker. Extremely suspicious. It is nothing but a shell game. Oh, you want to deal with class sizes? Well, okay. Let's talk about teachers' salaries. No, teachers' salaries are off the table. We're going to have this process, and now we're going to talk about it. So the government keeps switching back and forth, and they never really address the issue.

10:30

Mr. Speaker, I have no faith that this commission is going to actually deal with the questions facing teachers in the classroom. I think that it is simply a diversionary tactic to try and get the teachers to go along with what's happening to them in this bill. So I think that it is very appropriate that we take some time to think this through because I'm sure that if we do think it through, some members opposite may reconsider the hot-headed decision to instruct the Premier to override his deal and his agreement with the Alberta Teachers' Association, which I think would have resolved things very satisfactorily in the long run. It might have cost the government a bit more money, but the children would have been a lot better off, and the Progressive Conservative Party would have been a lot better off in the next election.

MR. LUKASZUK: Thank you for your advice.

MR. MASON: Mr. Speaker, I'm pleased to provide advice to the Progressive Conservative Party because I do think that the 74 seats they managed to win in the last election have provided a certain sense of invulnerability, a bit like a teenage boy driving a speeding car. They think that they're invulnerable, that they'll live forever, and it's just not so. I think this government is probably in more trouble now than it has been in since the days of Premier Getty. Even their own supporters in the media are turning against them. We saw that with Mr. Gunter's column today.

In conclusion, Mr. Speaker, I think that we should pass the hoist motion. I would like to say that the government is hoisted on its own petard, except I'm really not quite sure what a petard actually is. I think that hoisting this bill and giving it sober second thought is exactly what we need to do in the circumstances. So with that, with considerable time left, I will take my seat.

THE ACTING SPEAKER: Questions or comments? We'll resume debate. The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. Unfortunately, I cannot support the hoist amendment motion on Bill 12, the Education Services Settlement Act, as moved by the Member for Edmonton-Ellerslie. To further delay this unfortunate labour salary dispute serves no purpose other than to allow emotions to continue to fester and to create further unhappy feelings between teachers, legislators, trustees, parents, students, and the public.

Having been educated in Alberta's public system, I wish to thank my past teachers for the role that they played in my development. Without their devotion and passion for teaching it's likely that I would not today be representing the constituents of Bonnyville-Cold Lake. Mr. Speaker, as a former school trustee and a parent of two children who graduated from our public system, I have the utmost respect and admiration for Alberta's educators.

Mr. Speaker, this labour dispute has gone on far too long. As I receive calls and e-mails, I soon see that this labour situation has turned rather emotional and very political. It's: "He said this. No, he said that. The comments were unfair. The comments were taken out of context." All that is being achieved at this point in time is that

the level of anger continues to grow, and that is not a useful purpose.

Let's allow the salary arbitration process to proceed. Let's move on to the next step, the education commission, where Albertans working together can address all the other education concerns facing our teachers and our students. Together we can continue to provide the best education for our children, our future, our prosperity.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: Any questions or comments? There being none, we shall resume debate. The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I was going to speak to Bill 12 just briefly, but the hon. Member for Bonnyville-Cold Lake said exactly what I was going to say. I would like to identify his remarks and not prolong the debate by repeating them, other than to say that I think that there's an exciting opportunity here for Albertans, for teachers, for students, for all of us who are concerned about education in this province, and that opportunity is in the preamble to the bill.

The bill itself deals with the wage dispute. The issues that are really important – not that wages aren't important, because they are; and not that teachers don't deserve decent wages, because they do. They work long and they work hard. I come from a family of teachers, and I know that from personal experience. But the big issues that really concern most of the teachers that I speak to are the class size issues, the issues around the amount of time and effort that goes into it, the changes in education over the last 10 years with integration and inclusion in classrooms, with technology in classrooms, and those other issues which have really changed the nature of the workplace, changed the nature of education.

We've learned so much over the last 10 years about learning and about the styles of learning and about what it takes to teach and what types of learning there are. We need the commission on education which has been promised to examine learning in detail. Those are not issues that can be dealt with in a collective bargaining process. That's why we need this bill now: to get the wage issue off the table so we can get on with talking about education in a meaningful, broad-based way so that we can have the best possible education system so that our children can be the best they can be and go out into the world.

Mr. Speaker, I think we've come close to the end of this debate. I would ask for the unanimous consent of the House for waiver of the 10-minute bell rule so that we could have one-minute bells, because I'm sure that we will have a few divisions yet tonight.

[Unanimous consent granted]

DR. PANNU: Mr. Speaker, I'd like to briefly speak in support of the motion before the House.

MR. MASON: I have questions for the minister.

THE ACTING SPEAKER: I am sorry. The hon. Member for Edmonton-Highlands with a question.

MR. MASON: Yes. I would like to ask the minister why the government has taken so long to decide to create a commission on the future of education and why the timing has been chosen to coincide with this bill.

MR. HANCOCK: Well, I think that's a very important question and

well answered by Wetaskiwin-Camrose, I believe earlier today, when he said that all ideas have their time and their place. There has been discussion of a commission on education or something of that sort since early last year, in fact, coming out of the election, when so many people last year told us on the doorsteps that they were concerned about resources in the classroom and they were concerned about classroom size, those issues.

The Future Summit very clearly put forward discussion about the need for a commission on education, and the labour issue that we're going through right now has very clearly brought it to a head. The president of the ATA made it a suggestion and a very good one.

MR. MASON: Since the other minister who I'd like to ask the question of has not subjected himself to these questions, I'll ask this minister how long he thinks this commission on education is going to take to come up with its recommendations to the government.

MR. HANCOCK: Well, that would be asking for an opinion, but I'm happy to give him my opinion. The commission should take as long as necessary to thoroughly analyze the data, to look at all the issues very carefully, dispassionately, and nonpolitically and come to some conclusions and recommendations, which probably should be completed before the next contract is up so that it does not become an issue in the next collective bargaining process.

10:40

THE ACTING SPEAKER: Any questions or comments? The hon. Member for Edmonton-Highlands again.

MR. MASON: For the minister. I take from the minister's statement that it could be up to a year and a half, two years before this happens. Will the government in the meantime continue its policy of underfunding education?

MR. HANCOCK: Well, the hon. member would have to ask the responsible minister who will be presenting a budget next Tuesday as to what funds will be going to education, but I wouldn't agree with the premise that education is underfunded. I think we very clearly need to look at the way the resources are allocated and how we resource education and what changes have happened in education over the last 10 years, which will require a very thorough look. The contract should expire by August of 2003, as I understand it, under Bill 12, and therefore the commission should have its report in prior to that date so that we can get on with those issues.

THE ACTING SPEAKER: The hon. Member for Edmonton-Highlands again with a question.

MR. MASON: Thank you, Mr. Speaker. I would like to ask the minister if this commission is going to have the same depth and breadth of public consultation as the Mazankowski commission did.

MR. HANCOCK: The commission hasn't been established yet, so we don't know its form as yet, but I would expect the minister of education would appreciate any advice that he might get as to how the commission should be formed, who should participate in it, and what issues it should discuss.

THE ACTING SPEAKER: We'll resume the debate. The hon. Member for Edmonton-Strathcona has been recognized.

DR. PANNU: Thank you, Mr. Speaker. I would like to speak in

support of the motion to hoist this bill and that it be brought back to this House six months from today. I want to just speak on a few points that I think are important to clarify.

First, this whole talk about the commission, a task force, perhaps a summit is all so fuzzy at the moment. It's a bit of a red herring when talking about and debating Bill 12. Let's talk about Bill 12 and why it is necessary to hoist it tonight and debate it six months from now. In the meantime, have some negotiations with the Minister of Learning and have some negotiations with the Alberta school trustees and have some contact with the ATA to resolve the issues. To simply ram this bill through tonight will solve absolutely nothing.

Two other points that I want to make. I was listening to the minister when he introduced third reading of the bill this afternoon, and I was quite taken by one particular comment the minister made. He talked about the fact that he wanted to remove the possibility of the trauma that collective bargaining is likely to cause in this province to parents, to teachers, to the public system. Trauma is a very medical term appropriately used by the minister, who has some knowledge of these issues. He didn't use this term three weeks ago, when he recommended to the Minister of Human Resources and Employment – at that time he called it public emergency. He got his hand slapped a bit by Chief Justice Allan Wachowich when he said that there is no such thing as a public emergency caused by the legal right to take job action by teachers in this province. So he has switched his language but obviously not his thinking about the matter. He hasn't learned anything from the decision of the court and the verdict of the court, so he now begins to use the word "trauma." The trauma that's going to come, Mr. Speaker, is going to be the result of the mad rush with which this bill is being put through this House tonight.

So I certainly would ask all members to reflect on this matter and give favourable consideration to the motion before us to postpone that day on which to make those decisions and in the meantime try to seek negotiations, consultations, and improve this bill. In that respect, we tried last night to do our best to take out the most odious parts of the bill and improve them by way of making amendments. Only three of our eight amendments were given the time, and then the guillotine was dropped and the debate stopped.

Debate needs to continue, and this motion before us will allow this kind of debate to happen, not only based on the specific proposal that the New Democrats made by way of our amendments, but lots of Albertans – members of school boards, teachers, parents, school council members – and everyone in this House will have the opportunity to engage in this debate and this discussion which is so necessary if they're going to fix the problems their system faces.

A comment was made this evening, Mr. Speaker, by the hon. Member for Calgary-Egmont. He expressed grave concerns about the problems that collective bargaining, when the right is exercised by teachers, creates for the system, for particularly our students and families and everyone else. I think he is out of touch. If he thinks that all members and all school boards are opposed to collective bargaining, he's absolutely out of touch. He's not correct in taking that position.

Thus today Don Fleming, the chairman of the Edmonton public school board, stated publicly that insofar as his experience in the public school board is concerned, there have been exceedingly cordial, collaborative, and constructive relationships between teachers, on the one hand, as employees of the school board and the school board members as elected employers of those teachers. This has happened because there has been decent recognition of the right for collective bargaining and the right for teachers to exercise their

legal right to strike. So the collective bargaining arrangements that are in place in this province have in fact worked, worked to the advantage of our students, worked to the advantage of school boards and teachers in being able to negotiate agreements that are acceptable, that have been constructive, that have been helpful to all parties, and that have best served the interests that the school system is supposed to address and serve.

Let's not proceed with this mad rush and turn this Legislative Assembly into an Assembly that issues decrees. I think this bill, if passed and rammed through tonight, will certainly be seen by a very large number of Albertans and almost all teachers in this province as a decree, not carefully thought out legislation that received the due debate that it deserves.

If this amendment were to be passed, it would also give time to the 16 members of the Tory caucus that the Premier continues to refer to as teachers, teachers in support of this bill. I'm not entirely sure how happy those 16 members of the Conservative caucus are who have in the past in one capacity or another served as teachers or in some capacity in the school system. I think they deserve an opportunity to reflect without being pressured by their colleagues and by their heavy-handed minister to buy into this rush for passing this ill-considered piece of legislation. MLAs who are represented in the caucus of the Tory party who claim to be teachers I think need to go back to the teachers, to their colleagues, to their peers and talk to them and come back and give some advice to the minister and to the caucus. Maybe based on that advice, we can improve this bill by the time it's ready to come back in six months.

So for these reasons that I've given, Mr. Speaker, I think it's important that all members support the motion before the House. Thank you.

THE ACTING SPEAKER: Any questions or comments for the hon. member? The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Yes. Thank you very much, Mr. Speaker. I have a question, please, for the hon. Member for Edmonton-Strathcona. My question is this: in light of your remarks, do you think it's important that part of the solution to this problem is a recognition that class size is important and the pupil/teacher ratio is important?

DR. PANNU: Mr. Speaker, this bill is about contract stripping. This bill is about stripping contracts that have been negotiated with teachers earlier, and that is wrong. So surely any contract that's been negotiated, that's been arbitrated should include all the matters that concern parties at the table, which is teachers on one side and school boards on the other, and not be excluded.

10:50

THE ACTING SPEAKER: There being no further questions, we shall resume debate.

SOME HON. MEMBERS: Question.

THE ACTING SPEAKER: Okay. You're ready for the question.

[The voice vote indicated that the motion lost]

[Several members rose calling for a division. The division bell was rung at 10:51 p.m.]

[One minute having elapsed, the Assembly divided]

[Mr. Shariff in the chair]

For the motion:

Blakeman	MacDonald	Pannu
Carlson	Mason	

Against the motion:

Ady	Goudreau	Maskell
Amery	Hancock	McClelland
Broda	Hlady	Melchin
Calahasen	Horner	Oberg
Cao	Hutton	O'Neill
Cenaiko	Jacobs	Ouellette
Coutts	Johnson	Rathgeber
DeLong	Knight	Stelmach
Doerksen	Lougheed	Stevens
Ducharme	Lukaszuk	Strang
Dunford	Magnus	VanderBurg

Totals:	For – 5	Against – 33
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[Motion on amendment lost]

THE ACTING SPEAKER: On the motion for third reading of Bill 12, Education Services Settlement Act, as proposed by the hon. Minister of Learning.

[The voice vote indicated that the motion carried]

[Several members rose calling for a division. The division bell was rung at 10:56 p.m.]

[One minute having elapsed, the Assembly divided]

[Mr. Shariff in the chair]

For the motion:

Ady	Hancock	McClelland
Amery	Hlady	Melchin
Broda	Horner	Oberg
Calahasen	Hutton	O'Neill
Cao	Jablonski	Ouellette
Cenaiko	Jacobs	Rathgeber
Coutts	Johnson	Stelmach
DeLong	Knight	Stevens
Doerksen	Lougheed	Strang
Ducharme	Lukaszuk	VanderBurg
Dunford	Magnus	Yankowsky

11:00

Against the motion:

Blakeman	MacDonald	Pannu
Carlson	Mason	

Totals:	For – 34	Against – 5
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[Motion carried; Bill 12 read a third time]

THE ACTING SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. Notwithstanding the pressure from all sides to continue on with other business, I would like to move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 11:02 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

